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EDITORIAL NOTE

FEAR has been expressed in some quarters that THE SOCIETY OF ORIENTAL RESEARCH may conflict with the American Oriental Society. This fear is groundless, at least, as far as THE SOCIETY OF ORIENTAL RESEARCH is concerned. Our purpose was briefly and clearly stated in the "Editorial Note" of Volume I, Number 1. We believe in this way that we can coöperate with the American Oriental Society and do our utmost for Oriental research in America. We, therefore, solicit membership from any person interested in Ancient Oriental studies, regardless of whether he belongs to another Oriental Society or not. A man who belongs to two such societies is, in our opinion, not weakening but strengthening his interest in Oriental matters.

In the next number of the JOURNAL we hope to begin our publication of annual bibliographies in Semitics, Egyptian, and Ancient Oriental Liturgics.

We are pleased to announce that Dr. Paul Haupt, Professor in Johns Hopkins University, one of the world's most able and famous Orientalists, has become an ASSOCIATE in the Society.

It is a pleasure to congratulate M. Thureau-Dangin, one of our ASSOCIATES, on his election as successor of M. Georges Perrot to membership in the French Academy.

Journal of the Society of Oriental Research

SUMERIAN MORALS

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I. INTRODUCTION

OUR subject is Sumerian morals and not Sumerian Ethics. Ethics is the science of morals. It concerns itself with the principles of human duty. So far as is known, the Sumerians have left us no system of ethics. The reconstruction of the ethics of an ancient people approaches the impossible. Morals has to do with the habits of life in regard to right and wrong conduct. The subject matter of the morals of any ancient people can be gleaned from their extant literature. It can then be classified in the light of what was considered right and wrong conduct by the people and time under consideration.

In a study of Sumerian morals we shall be dealing with the Sumerian idea of goodness, truth, justice, righteousness, purity, and faithfulness, on the one hand; and, on the other hand, with that of evil, falsehood, injustice, wickedness, impurity, and faithlessness.

The origin of moral ideas reaches back into prehistoric times. The earliest historic man habitually differentiates between good and bad. His "good" and "bad" doubtless differed from ours, having been probably more confined and narrower. We may say that "good" is that which favors human progress, and evil that which impedes it. But the early Sumerians, because of their known piety, would probably have defined "good" as that which is pleasing to the gods and evil as that which incites the anger of the gods. Sumerian "good" and "evil" may originally have been purely ritual and ceremonial, but in historic times we shall find that, although ritual right and wrong still prevailed to a certain extent, a positive moral distinction was made. Our own moral distinctions are based upon what we consider to be the will of God and upon what has become customary. The same is true of Sumerian morals. What their gods willed was right, what they disapproved was wrong; what was customary was right, and what was not customary was wrong.

Of course the gods will what we *think* they will. We think God wills justice, righteousness, purity, etc. The Sumerians thought he willed the same, though their idea of justice, purity, and righteousness may have been different from what ours is. They may have conceived sin, for example, in a more ceremonial way than we, and may have considered it and "sickness" to be equivalent. This we must take into consideration in our evaluation of Sumerian morals.

Every human act is done for some end or purpose. The end is always regarded by the agent in the light of something good. If evil be done, it is done as leading to good, or as bound up with good, or as itself being good for the doer under the circumstances. The standard of moral judgment is that which is considered good or bad, wrong or right. But what is considered good or bad, wrong or right, depends upon people and time. To the Sumerians, human acts were right or wrong, good or bad, not according as they were useful or hurtful, nor yet according as their consequences made for or against the end of social happiness, but according as they were pleasing or displeasing to the gods. The Sumerians aimed at material blessings, prosperity, success in war and in private undertakings; but they also aimed at tranquility of soul, and, most of all, their greatest concern was to please the gods.

In examining the subject matter of Sumerian morals, allowance must be made for a wide gap between the ideal and the real. We must be careful not to confuse what were actual practices with what were merely ideals, although the ideals will be valuable as indications of what the Sumerians knew to be best and of what they tried to attain.

Because of the fragmentary nature of the literature it will be impossible to present a complete picture of Sumerian morals; and because contemporary literature is the only reliable source for the study of the morals of any age that is past, great care must be taken in the matter of the date of our sources. Inscriptions were written in the Sumerian language long after the time of the Sumerian dynasties. Such inscriptions cannot be utilized in our study of Sumerian morals. About the date of some early literature in Sumerian there is still considerable doubt.

The sources used in this study are: (1) Sumerian historical inscriptions, (2) Sumerian laws and legal documents, (3) Sumerian

laws preserved in the Code of Hammurapi,* (4) Religious literature consisting of liturgies, hymns, and incantations from the Sumerian period, and (5) Some Sumerian hymns in later copies, but of a most probable Sumerian origin.†

My method in this study has been: first, to assemble all moral materials in all inscriptions known to represent the Sumerian period, classifying them, so as to show what the family, social, international, transcendental, and personal virtues and vices were; and secondly, to estimate Sumerian morals by an examination of their moral ideals, of their idea of moral evil, of the question of their free will, of the determinants of their individual and social life, and of their moral sanctions. In this estimation great care has been exercised in differentiating between individual and national morals.

II. MORAL MATERIALS IN SUMERIAN INSCRIPTIONS

1. *Family Virtues and Vices*

The basis of Sumerian society, as of all society, was the family. The family began with the marriage of two persons. Preparatory to the marriage it was customary to draw up a legal marriage contract; and before the contract could be entered into, the consent of the parents was ordinarily required,¹ although there were illegal ex-

* See Jastrow's excellent article in JAOS 36. 1, *Older and Later Elements in the Code of Hammurapi*.

† Abbreviations of less common use employed in this article are: BSBAD = Barton, *Sumerian Business and Administrative Documents*, Phila., 1915; CLAD = Chiera, *Legal and Administrative Documents*, Phila., 1914; CMI = Clay, *Miscellaneous Inscriptions in the Yale Babylonian Collection*, New Haven, 1915; DEP = *Délégation en Perse*; DP = Allotte de la Fuye, *Documents présargoniques*, Paris, 1908 ff.; ITT = *Inventaire des Tablettes de Tello*, Tome I-II, par Thureau-Dangin et de Genouillac, Paris, 1910; JBAL = Johns, *Babylonian and Assyrian Laws, Contracts, and Letters*, N.Y., 1904; JHBT = Jastrow, *Hebrew and Babylonian Traditions*, N. Y., 1914; KHSa = King, *A History of Sumer and Akkad*, N. Y., n. d.; LBL = Langdon, *Babylonian Liturgies*, Paris, 1913; LHRT = Langdon, *Historical and Religious texts*, BE XXXI, München, 1914; LSBP = Langdon, *Sumerian and Babylonian Psalms*, Paris, 1909; MOS = Mercer, *The Oath in Sumerian Inscriptions*, JAOS, 33. 1; PGABK = Paffrath, *Zur Götterlehre in den altbabylonischen Königsinschriften*, Paderborn, 1913; PHT = Poebel, *Historical Texts*, Phila., 1914; RSHPN = Radau, *Sumerian Hymns and Prayers to Ninib*, BE XXX, München, 1913; TSA = de Genouillac, *Tablettes Sumériennes Archaiques*, Paris, 1909.

¹ ITT 960 (MOS, 47).

ceptions to this rule as is shown by the laws dealing with elopement and abduction.²

Marriage was considered a legal contract by the Sumerians, and, as there was no sharp line drawn between religious and civil matters, there is no means of showing that it had any specific religious character. And, yet, there is no proof that it was anything else than a religious ceremony, because religion was inseparably bound up with all social institutions. The contract was an absolutely necessary preliminary to marriage, for "if a man takes a wife and does not execute contracts for her, that wife is no wife." So reads one of the oldest laws in the CH.³

The father of the bride made the marriage a veritable lawsuit, where witnesses came and took oaths,⁴ and in which stipulations were made, especially those giving to the wife the right to a "sum of rupture," or alimony, in case a divorce followed.⁵ Should such a stipulation be omitted, the wife summoned her husband before the *maškim*, or assessor, and formulated her demands.⁶

It may be said, in general, that, in Sumeria, the marriage contract was more often an agreement between the husband and his father-in-law than between the man and his wife, if we may judge from the words used for "father-in-law," *sal-uš-sá*, and "price of woman," *nig-sal-uš-sá*,⁷ as well as from the fact, hereafter discussed, that the father had the legal right to dispose of his daughter by sale.

There is no evidence that monogamy was prevalent in Sumerian society, although it may have been an ideal;⁸ but concubinage was undoubtedly a legal institution,⁹ especially under certain conditions, e. g. when a man's wife was sterile.¹⁰ It is most likely that the concubine occupied, very often, the office of wet nurse, as the words *um-me*, "concubine," and *um-me-da*, "wet nurse," would seem to show. On the other hand, polyandry must have been practiced, for

² CMI, VI and VII, p. 22; cf. Babyl. III. 2. 115 (XXII).

³ § 128.

⁴ Babyl. III. 2. 114 f. (XXI).

⁵ Babyl. III. 2. 105 (IX).

⁶ See note 5.

⁷ TSA, p. XXI, n. 6 and 7.

⁸ Such expressions as "the wife of the patesi," "the wife of the priest of Ningirsu," found in inscriptions of the time of Urukagina, are manifestly no indication, contrary to

TSA, p. XXII, that monogamy was prevalent.

⁹ § 137; cf. H. Schaeffer, *The Social Legislation of the Primitive Semites*, New Haven, 1915, pp. 55-56; TSA, p. XXXV.

¹⁰ RA 8. 22.

we learn from an inscription of the reign of Urukagina that that ruler denounced it.¹¹

Marriage took place not only between free and free, but likewise between freedmen and slaves.¹²

The relation between man and wife has ever been a difficult one to keep in equilibrium, and the determination of the starting point in the relationship has always been one of first importance. The marriage relation began, ordinarily, when the contract was signed, although there are indications that the full state of marriage was not realized till the marriage was consummated, and that it was easier for one party to the contract to repudiate the other before than after that event.¹³ There were, most likely, certain impediments to marriage, but no indications of what they were have so far been found in Sumerian inscriptions. The Sumerians were always careful to avoid slander, which was severely punished. An old law in the CH says: "If a man causes the finger to be pointed at the woman of a god or the wife of a man and cannot prove it, they shall bring him before the judges and they shall brand his forehead."¹⁴ Such a law would have a deterring influence upon any tendency to accuse a woman of marriage impediments unless sure proof were available.

The marriage relation was often interrupted, the chief cause being adultery on the part of the wife. The Sumerians were very strict about sexual intercourse, and promiscuity in such matters was forbidden.¹⁵ They were particularly severe in case of adultery. After the guilt had been definitely established, the punishment was duly inflicted; thus, "If the wife of a man is caught lying with another man, they shall bind them and throw them into the water. If the husband of the woman would let her live, or the king would let his subject live, he may do so."¹⁶ Even fornication with a betrothed girl was capitally punished: "If a man forces the betrothed wife of another who is living in her father's house and has not known a man, and lies in her loins and they catch him, that man shall be put to death and that woman shall go free."¹⁷ In such ways, of course, the marriage relation was interrupted. The mere accusation of adultery could sever the relations; e. g., "If the wife of a man is

¹¹ SAK 54-55. i. 3. 20 ff.

¹² RA 8. 8.

¹³ RA 8. 26.

¹⁴ § 127.

¹⁵ RA 8. 26.

¹⁶ § 129.

¹⁷ § 130.

accused by her husband, and she has not been caught lying with another man, she shall swear her innocence and return to her house."¹⁸ In such matters, public opinion was capable of disastrous effects, for, "If the finger has been pointed at the wife of a man because of another man and she has not been caught lying with the other man, for her husband's sake she shall plunge into the sacred river."¹⁹ The feeling against sexual impurity was very strong, the harlot was unholy,²⁰ and her trade was condemned.²¹

The marriage relation was often interrupted by the captivity of the husband, in which case, however, in deference, perhaps, to the husband, the wife's remarriage was prohibited. In case of remarriage, she was to be prosecuted and thrown into the river.²²

Divorce was resorted to in bringing about an interruption of the marriage relation, and ordinarily resulted in permanent separation. The husband could dissolve the marriage tie by pronouncing a sentence of repudiation, *hum-in-tak-a-ta*, "she is repudiated by me,"²³ often accompanied by the payment of half a mina of silver.²⁴ Apparently the husband had the power to repudiate his wife before consummation of marriage without giving any definite cause.²⁵ The act of divorce was ordinarily concluded in a legal process before a judge, in the presence of witnesses, when an oath was taken.²⁶

The husband did not go free, however, in case he divorced either his wife or his concubine, for an early law, preserved in the CH, says: "If a man sets his face against a concubine who has borne him children or a wife who has presented him with children, to put her away, he shall return to that woman her marriage portion, and shall give her the income of field, garden, and house, and she shall bring up her children. From the time that her children are grown, from whatever is given to her children, a portion like that of a son shall be given to her, and the husband of her choice she may marry."²⁷ In a similar manner could the husband put away a barren wife, on the condition of giving her "silver equal to her marriage gift, and the dowry which she brought from her father's house."²⁸ Furthermore, in such a case, the woman had a right to remarry "the hus-

¹⁸ § 131. ¹⁹ § 132.

²⁰ LBL 19. 20.

²¹ LBL 14. 17 ff., 32.

²² § 133.

²³ Babyl. III. 2. 85.

²⁴ Sumerian Family Laws,

§ VI (Johns, BASC, p. 42);
cf. RA 8. 8(VII).

²⁵ ITT 948(MOS, 38).

²⁶ See note 25.

²⁷ § 137.

²⁸ § 138.

band of her choice."²⁹ The divorced wife or concubine was given the custody of the children.³⁰

In an inscription belonging to the reign of Urukagina of Lagash, there is an excellent account of a series of reforms carried out by that prince. One of the reforms deals with the subject of divorce. Urukagina tells us that in earlier times, in Lagash, if a man divorced his wife, the prince demanded five shekels of silver and the grand vizir one. Urukagina abolished the exaction of these fees,³¹ which under the old *régime* was practically a bribe. This reform most likely resulted in a reduction of the number of divorces.

On the other hand, "if a wife gets a distaste³² for her husband and says 'thou art not my husband,' they shall throw her into the river." This is the fifth section of the Sumerian Family Laws, and indicates the severity with which the woman was treated in case of repudiation in early Sumerian times. Later, but still earlier than the time of Hammurapi, this injustice was mitigated, for, then if a woman repudiated her husband an investigation was instituted and in case she was declared blameless she was empowered to take her marriage portion and return to her father's house; but if she had "not been discreet, but had gone out and neglected her house and belittled her husband," she was to be thrown into the water.³³

It is possible that, in Sumerian times, divorce could be brought about by mutual consent, but there is yet no confirmatory evidence.

The father was head of the family,³⁴ nevertheless the wife's rights were respected. She could acquire and possess;³⁵ she could appear in court as a witness³⁶ or as principal, though she was often assisted by her sons, or represented by her husband;³⁷ and the poorest was defended by law.³⁸ Further, she had the right to an alimony, often stipulated in the contract of marriage. Should such a stipulation be omitted, she had the power to summon her husband before the assessor and formulate her demands.³⁹ Nearly all the documents

²⁹ § 137. ³⁰ § 137.

³¹ §§ 142, 143.

was common (Schaeffer, *op. cit.* p. 6). ³² TSA 5.

³³ SAK 54-56; KHS 123.

³⁴ In historical times in

³⁵ DP 31(TSA).

³⁶ Jastrow has shown, in JAOS 36, p. 5, n. 3, that *isir*, "distaste," has reference to a refusal on the wife's part to have sexual relations with her husband.

Sumeria, patriarchy was the rule, though the order, "female and male" in old Sumerian hymns would perhaps point to an earlier period when matriarchy

³⁷ Babyl. III. 2(XVI, XIX, XIVc).

³⁸ Cone B V, 22; XI, 17(TSA).

³⁹ Babyl. III. 2(IX), p. 85.

representing the reign of Lugalanda bear the name of Barnamtarra, his wife; and many of the reign of Urukagina bear the name of his wife, Shagshag. The fact that these are administrative documents shows how high was the regard in which women were held.⁴⁰ In spite of this, however, a man still had the legal right to dispose of his wife by sale.⁴¹

A man who had married a priestess could not take a concubine, unless the female slave whom the priestess had given to him was barren;⁴² but if the priestess did not present her husband with children, he was permitted to take a concubine. The concubine did not rank with the wife,⁴³ although the treatment accorded her in case of divorce was similar to that accorded the wife.⁴⁴ The slave-wife, likewise, had her rights, for, if she had borne children to her master, she could not be sold.⁴⁵ Otherwise she could be sold.⁴⁶

The wife had the right to possess property in common with the rest of the family,⁴⁷ especially if she received it in dowry, or if it had been presented to her.⁴⁸ She administered the property herself, otherwise with the aid of her husband or children, and she had the legal right to give it away or to sell it.⁴⁹ The widow could take her dowry to her second husband, but on her death it had to be divided between the children "of her first and her later husband."⁵⁰ The dowry of a deceased wife, if there were children, could not be claimed by her father but had to go to her children.⁵¹

Severe punishment was inflicted upon any woman who should cause the death of her husband for love of another man. She was impaled.⁵²

The Sumerians hated incest, and ruled that "if a man has known his daughter, the city shall drive that man out."⁵³ A much greater punishment, probably drowning, was inflicted upon a man who had had illicit relations with his son's fiancée,⁵⁴ and still greater was the punishment visited upon a man who had committed incest with his mother. In such a case, mother and son were both burned.⁵⁵ Co-habitation with a sister was likewise prohibited.⁵⁶

On the whole, in Sumerian life, there was mutual responsibility between husband and wife. In the drawing up of contracts a man

⁴⁰ TSA 21, 37, 3, 4, 42, 1, 11-13, etc.

⁴¹ § 117. ⁴³ § 145.

⁴² § 144. ⁴⁴ § 137.

⁴⁵ § 146. ⁴⁶ § 147.

⁴⁷ Babyl. III. 2(VII).

⁴⁸ Babyl. III. 2(XIX).

⁴⁹ Babyl. III. 2(VII, I).

⁵⁰ § 173. ⁵³ § 154.

⁵¹ § 162. ⁵⁴ § 155.

⁵² § 153. ⁵⁵ § 157.

⁵⁶ RA 10. 3, p. 159, 40 ff.

often had his wife with him.⁵⁷ The ideal for a true woman was that she care for her home,⁵⁸ and a man should make dedications for his wife and children.⁵⁹

The relation between child and parent was very close, and though, on account of the incompleteness of our literary material, we cannot say what degree of love, reverence, or obedience the Sumerian child experienced for his parents, we do know that repudiation of parents was severely dealt with. "If a man says to his father, 'thou art not my father,' he may brand him, lay fetters upon him, and sell him."⁶⁰ This was cruel, but it also indicates the abhorrence felt for filial ingratitude. Likewise, "If a son says to his mother, 'thou art not my mother,' one shall brand his forehead, drive him out of the city, and make him go out of the house."⁶¹ This is not quite as severe, because of the lesser authority of the mother, but, still, it shows the same feeling of contempt for filial ingratitude.

So close was the relation between parent and child in Sumeria that children were held responsible for the debts of their father;⁶² and it was common for children to represent their father at a lawsuit.⁶³

The relation between parent and child is further seen in the absolute power which the parents, especially the father, exercised over the family. A father could sell son or daughter, as a slave, though only for a period of three years, when, in the fourth year, they had to be freed.⁶⁴ Children were obliged to gain the consent of their parents when they desired to marry.⁶⁵ If section seven of the CH be an old law, it is clear that a minor could not enter into an independent contract. What the age of majority was is not clear. The CH shows that severe punishments were inflicted upon a man who struck his father, e. g., his hand was to be cut off.⁶⁶ According to the old Sumerian Family Laws⁶⁷ a son could be disinherited by simple repudiation, e. g., by pronouncing the words, "thou art not my son"; but the CH limited the power by insisting upon a legal process, and even then it did not allow it for the first offence. This law is an old one.⁶⁸ The mother's authority over her son was similar to that of the

⁵⁷ Babyl. III. 2(II).

⁵⁸ SAK 127. 5. l. 11.

⁵⁹ SAK 158. 2. 3, etc.

⁶⁰ Sumerian Family Laws, I (Johns, BASC).

⁶¹ S.F.L.II(JohnsBASC).

⁶² Babyl. III. 2(XII).

This brings out the idea of property in the relationship.

⁶³ Babyl. III, 2(XII).

⁶⁴ § 117; cf. Babyl. III.

2(VI, XI).

⁶⁵ CMI 22(VI).

⁶⁶ § 195.

⁶⁷ III and IV. ⁶⁸ § 168.

father, except that she could not sell him as a slave.⁶⁹ In the CH no such power is vested in the mother.

The children of Sumerian freemen were vested with very definite rights. They could claim a patrimony, which proceeded from gifts made by the father, and of which they could dispose freely.⁷⁰ If in any way they felt themselves unjustly treated, they had the legal right to protest⁷¹ and make claims. The children of freemen, by two successive freewomen, the first of whom dies, after the death of the father, received the dowries of their respective mothers, and shared equally in the goods of their father's house. Thus, by law, the inheritance of children was definitely regulated.

A son could be legally disinherited and even enslaved by his father, in case he repudiated his father or mother, by pronouncing the words: "thou art not my father"; "thou art not my mother."⁷² The Sumerian laws published by Clay show that, in case of disinheritance, the father was compelled to give his son the portion of property which belonged to him to its full extent.⁷³ This was in case the son first repudiated his parents. It is noteworthy that both the father and mother pronounced the words of disinheritance, *nu dummu-meš*, "not our son." The fifth law provides for disinheritance by the parents of a son, where no stipulation of property-sharing is made.

The CH, even in its oldest form, shows an advance upon the earlier laws. It says: "If a man has set his face to cut off his son, and says to the judges: 'I will cut off my son,' the judges shall make investigation concerning him; if the son has not committed a grave crime which cuts off from sonship, the father may not cut off his son from sonship."⁷⁴ The later law shows greater leniency, and emphasizes the power of the court to forbid disinheritance unless the crime of the son could be shown to have been sufficiently grave. It likewise indicates progression in moral distinctions. In later times, beyond the limit of the period treated in this article, a still more specific law was enacted.⁷⁵

The children of a free widow by two successive free husbands, after the death of their mother, had the legal right to share their

⁶⁹ Sumerian Family Laws, II (Johns BASC).

⁷⁰ Babyl. III, 2(VIII); cf. TSA 32, 33, 30, 2, 40.

⁷¹ Babyl. III. 2(XVI): CLAD 50.

⁷² Sumerian Family Laws

I and II (Johns, BASC); cf. § 117.

⁷³ CMI, Law IV.

⁷⁴ § 168. ⁷⁵ § 169.

mother's dowry;⁷⁶ and, in case she did not bear children to her second husband, the children by her first husband received the whole dowry.⁷⁷ Orphans were often well provided for, there being evidence that they sometimes received a pension equal to the mother's allowance while she was living.⁷⁸

On account of the commercial nature of marriage contracts, daughters were more often sold than sons. The sale could be made either by the mother or father,⁷⁹ but it was always a legal transaction, where an oath was taken before an official personage.⁸⁰

In Sumerian times adoption was common, and was a legal contract.⁸¹ Once the child was legally adopted, in the name of his foster father, the ownership of the child could not be questioned.⁸² If, however, the foster child became incorrigible he was to return to his father's house.⁸³ The foster child evidently had all the rights of sonship, for, "if a man does not count among his sons a young child whom he has taken to sonship and reared, that foster child may return to his father's house";⁸⁴ and the foster child may not be disinherited without adequate recompense, e. g., in case the foster father insisted upon disinheritance, the foster son could demand goods to the extent of one-third of a son's share. He, however, could not demand a share in the field, garden, or house of his foster parent.⁸⁵

Obligations of superior to inferior and of inferior to superior were not neglected in Sumerian times. The ideal servant was one who was full of respect for his master,⁸⁶ and who always did what was right.⁸⁷ Even the slave had his rights, and it was permissible for him to enter a lawsuit against his master and assert his right.⁸⁸ On the other hand, as Urukagina's reform shows,⁸⁹ there was often the need of a champion of the weak against the strong, and the fact that this ruler was such shows a keen realization of the rights of the inferior as against the exactions of superiors.

In one of Gudea's inscriptions,⁹⁰ he gives us a description of the state of Lagash during a seven days' feast after the consecration of E-ninnû. Then, he said, the maid was equal to her mistress; mast-

⁷⁶ § 173. ⁷⁷ § 174.

⁷⁸ TSA, p. XXII.

⁷⁹ RA 8. 12. 19.

⁸⁰ ITT, 830 (MOS 39).

⁸¹ RA 8. 24.

⁸² § 185. ⁸⁴ § 190.

⁸³ § 186. ⁸⁵ § 191.

⁸⁶ SAK 82. f. 2. 10.

⁸⁷ SAK 82. 1. 8.

⁸⁸ ITT 744 (MOS 40).

⁸⁹ SAK 54 ff.

⁹⁰ SAK 136 ff. (Cyl. B, 17-18).

ers and slaves consorted together; the powerful and the humble man lay down side by side; the rich did not wrong the orphan; the strong man did not oppress the widow, and Babbar trod injustice under foot. Here we have an ideal picture of what the Sumerian desired, of what his conception of justice was — the slave must serve his master; but the master must not oppress the slave.

2. *Social Virtues and Vices*

Sumerian society consisted of at least three classes: the patrician, which included the king, the chief officers of state, and landed proprietors; the commoner, which included the bulk of the subject population; and the slave. The king stood at the head of society, and in him was vested the administration of the law of the gods. Just as the Sumerians ascribed all perfection to the gods, so they considered their king as near perfect as their conception of morals would allow. The king was the mediator between the gods and man and as such was "the legitimate shepherd"⁹¹ of his people; as judge he "made decisions,"⁹² his wisdom was vast,⁹³ and his name was so sacred and powerful that oaths were taken by it, even as they were taken in the name of the gods;⁹⁴ and he was always considered a devout child of the gods.⁹⁵

Over against the king stood the state which recognized the authority of the king, but which, at the same time, was conscious of its own rights and privileges. The king was the head of the state, but he could not lightly disregard his obligations to it. In the case of important agreements the state gave its promise to the king under oath by the gods, but so also did the king. This demand was the state's legitimate right.⁹⁶

The state's duty to the individual was never much considered by the Sumerians, for they were not accustomed to think in terms of the individual. The only individuals considered by the state were royal or divine personalities. What concerned the individual never came to any public prominence. Of course, individuals had their rights in relation to other individuals, as the numerous contracts show; but the interest of the individual was lost in that of the community whenever it came into relation with the state. The state

⁹¹ SAK 101, 11, 5.

⁹² SAK 111, 20, 22.

⁹³ SAK 117, 25, 22.

⁹⁴ MOS, *passim*.

⁹⁵ SAK, 14, 19.

⁹⁶ SAK 16, 1.

could command, direct, and regulate the affairs of individuals; but there is no evidence that any ordinary individual could, for example, sue the state. The state held a man responsible in case of murder, dishonesty, and general lawlessness, and reserved the right to inflict the proper punishment.

The king's relation to the individual was that of leader, protector, judge, and master. The king often stood between the individual and unjust tax gatherers.⁹⁷ In time of war he was careful to see that the bodies of the slain were properly buried;⁹⁸ but he was often very cruel.⁹⁹ The individual owed the king his obedience, gratitude, love, and honor; and he was very often the subject of his peoples' prayers, and offerings to the gods were made in his behalf.¹⁰⁰

The relation of one individual to another was generally regulated by law, as the many contracts show. Good deeds were always praised;¹⁰¹ compassion was encouraged;¹⁰² forgiveness was recommended;¹⁰³ and truthfulness was guaranteed.¹⁰⁴ There is an abundance of evidence in the contracts and laws to the prevalence of wrong-doing and crime, but that is true of all society. There is also abundant evidence that the ideal was to punish wrong whenever discovered.

Injuries done to another were always punished, and no distinction was made as regards the station of life of the injured,¹⁰⁵ except in the case of the *lex talionis* (§ 200). The punishment, however, was very severe, the *lex talionis*, being greatly in favor. An early law in the CH reads: "If a man destroys the eye of the son of a patrician, they shall destroy his eye";¹⁰⁶ and another equally early says: "If he breaks a man's bone, they shall break his bone";¹⁰⁷ still another ancient law reads: "If a man knocks out the tooth of a man of his own rank, they shall knock his tooth out."¹⁰⁸ Many laws were decidedly humane, and particularly favourable to pregnant women. An old Sumerian law says: "If (a man) jostle the daughter of a man, and the possession of her interior fall, he shall pay ten shekels of silver";¹⁰⁹ and another says: "If a man strike the daughter of a man (and) the possession of her interior fall, he shall pay one-

⁹⁷ LHRT 19, 8; KHSa 271.

⁹⁸ KHSa 125.

⁹⁹ JHBT 270.

¹⁰⁰ CMI 7.

¹⁰¹ LHRT 22, 13.

¹⁰² LHRT 22, 5.

¹⁰³ LHRT 46, 50.

¹⁰⁴ MOS 34 n. 3.

¹⁰⁵ CMI 23.

¹⁰⁶ § 196. ¹⁰⁷ § 197.

¹⁰⁸ § 200.

¹⁰⁹ CMI 20; cf. an early law in CH, 209; probably the same law.

third of a mina of silver."¹¹⁰ The *lex talionis* is operative here also, for if a man cause miscarriage his own daughter shall be put to death.¹¹¹

It may be assumed that most acts of individual wrong known to us were condemned by the Sumerians. Stealing and robbery were denounced;¹¹² rash judgment was condemned;¹¹³ and disorder was considered a calamity.¹¹⁴ Slander was punished by branding;¹¹⁵ adultery by drowning;¹¹⁶ and incest by drowning.¹¹⁷

In Sumeria, the gods were the lawgivers, and each individual had a definite relation to the law. The sense of legal justice was highly developed, law being universally recognized and appealed to. The ideal of government was one of order, law, justice, and the protection of the weak.¹¹⁸ Law was just,¹¹⁹ because it proceeded from the gods: Ištar was the divine *justicia*;¹²⁰ and Babbar of Larsa, in the earliest period, was the dispenser of justice;¹²¹ the sublime commands and precepts were the handiwork of the gods;¹²² the purification of law,¹²³ and their changelessness¹²⁴ were always considered ideals; and the suppression of law was always condemned.¹²⁵

The large rôle played by law in Sumerian society is plainly seen in the many contracts. This form of written agreement, sworn to, became very elaborate, and scrupulous care was taken to see that no detail was lacking. The omission of the slightest point in order invalidated the whole contract. The average Sumerian contract consisted of: (1) The names of the parties, (2) The object of the transaction, (3) The nature of the contract, (4) The mention of any additional incidents, (5) The names of the witnesses, and of the assessor (*maškim*), and (6) The date. The omission of any one of these specifications, except the date, would nullify the transaction.¹²⁶ The contract was, as a rule, sealed, or signed by a thumb-nail mark, and sworn to in the presence of witnesses (*lu-ki-enim-ma-bi*) and in the name of the king and of certain of the gods.

Lawsuits took place before a judge;¹²⁷ but it was possible for the plaintiff to be represented by a proxy, who, as a rule, showed a

¹¹⁰ CMI 20. ¹¹¹ § 210.

¹¹² MOS 37, 38; SAK 54, 3, 6; 56k.

¹¹³ LBL 46, 51-55.

¹¹⁴ LHRT 7, 19.

¹¹⁵ § 127.

¹¹⁶ § 129. ¹¹⁷ § 155.

¹¹⁸ KHSa 271.

¹¹⁹ SAK 188, i, 1.

¹²⁰ LSBS 256.

¹²¹ P 84 (TSA).

¹²² PHT 17, 10.

¹²³ LBL 119, 6.

¹²⁴ LSBP 307, 40; 74, 38, 42, 43.

¹²⁵ LSBP 307, 40.

¹²⁶ Babyl. III, 2.

¹²⁷ E. g. § 127.

keen sense of honor;¹²⁸ although it often happened that the proxy had to bring suit against his mandant to recover expenses.¹²⁹ As a rule the judge made the decision;¹³⁰ but often an appeal was made to ordeal by water.¹³¹ In some cases no claim was allowed, as in the accidental goring of a man by a wild bull,¹³² but very often the *lex talionis* was operative.¹³³ Penalties were usually very severe: a plaintiff who fails to prove his case, in accusing a man of placing a death spell upon him, is put to death;¹³⁴ a plaintiff who accuses a man of practicing sorcery upon him and has not proved it, and is also condemned by ordeal, is put to death;¹³⁵ a false witness in a capital case is put to death;¹³⁶ but a judge who reverses a judicial decision is severely dealt with.¹³⁷ The *lex talionis* was a common mode of punishment.¹³⁸

The Sumerians were a keen-sighted business people, and fine distinctions were made in the ownership of property, the holding of which was protected by agreement.¹³⁹ Property lawsuits were common.¹⁴⁰ Women could legally own property.¹⁴¹

In the theft of things from a temple or palace, the punishment was very severe, death being the penalty for both the thief and also for the person who received the stolen goods.¹⁴² The buying or receiving from a minor¹⁴³ or slave, without witnesses or contracts, was punished by death. Kidnapping of a minor was likewise punished by death,¹⁴⁴ as was also the concealing of a fugitive slave.¹⁴⁵ The owner of a fugitive slave paid an appropriate fee for restoration.¹⁴⁶ The housebreaker and brigand were punished by death,¹⁴⁷ as was also a man who stole from a burning house.¹⁴⁸

The many *kudurru*, or boundary stones, indicate how definite was the idea of state property. In the earliest laws and contracts there is evidence that individuals could own property;¹⁴⁹ houses, fields, palm groves, orchards, ships, etc. A rich man could have tenants, and the tenants' rights were protected by law,¹⁵⁰ but a suit could be brought for lack of care.¹⁵¹ There was a regular system of

¹²⁸ Babyl. III, 2(XII).

¹²⁹ Babyl. III, 2 *passim*.

¹³⁰ § 127.

¹³¹ §§ 2, 132.

¹³² § 250.

¹³³ See above, *passim*.

¹³⁴ § 1. ¹³⁵ § 2.

¹³⁶ § 3. ¹³⁷ § 5.

¹³⁸ E. g. §§ 210, 230, 196, 197, etc., etc.

¹³⁹ SAK 16, 20.

¹⁴⁰ MOS 39.

¹⁴¹ PSBA 1910, 86.

¹⁴² § 6. ¹⁴³ § 7.

¹⁴⁴ § 14. ¹⁴⁵ § 17.

¹⁴⁶ § 19. ¹⁴⁷ §§ 21, 22.

¹⁴⁸ § 25.

¹⁴⁹ CMI 20, III; 26, 34, etc.

¹⁵⁰ § 42.

¹⁵¹ BE III, 1, p. 54, 55.

land tenure in early Sumeria.¹⁵² Most people had a parcel of land,¹⁵³ and women could hold real estate.¹⁵⁴ Personal property was usually the outcome of a father's patrimony to his son, and the transfer of the property was legally made.¹⁵⁵

In trade and business the Sumerians were exceedingly painstaking and exact; interest was carefully calculated;¹⁵⁶ loans were made;¹⁵⁷ promissory notes were rendered;¹⁵⁸ reports were duly made;¹⁵⁹ painstaking inventories were drawn up;¹⁶⁰ bills were carefully paid;¹⁶¹ and receipts were given.¹⁶² A spirit of fairness pervaded commerce,¹⁶³ and everything had a recognized price.¹⁶⁴ Merchants employed agents, and the law provided for strict honesty.¹⁶⁵ An oath was sufficient to guarantee the good faith and honest dealings of an agent entrusted with goods for sale.¹⁶⁶ Dishonesty in business was always punished, e. g. she who "makes the measure of drink smaller than the measure of grain" . . . "they shall put on trial and throw her into the water."¹⁶⁷ Merchants were expected to act with honesty and to keep within the bounds of the law, e. g. "If the mistress of a wine shop collects criminals in her house, and does not seize these criminals and conduct them to the palace, that mistress of a wine shop shall be put to death."¹⁶⁸ The delivery of purchased goods did not always take place immediately, and in case of dispute, the dealer was expected to produce the documentary titles of his property.¹⁶⁹ Credit was allowed, and the debtor could demand the goods so credited.¹⁷⁰ Should the customer be found solvent, the tribunal forced him to give a slave or return the goods.¹⁷¹

There existed in Sumeria, at different periods, an uniform standard of weights and an official testing house.¹⁷²

Loans were given and deposits were made, but witnesses were always necessary and a contract was instituted.¹⁷³ When no such precautions were taken, nothing could be collected in case of dispute;¹⁷⁴ but when a contract was duly made, its violation was

¹⁵² KHSa 95.

¹⁵³ RTC 75.

¹⁵⁴ PSBA 1910, 92.

¹⁵⁵ Babyl. III, 2(VII, VIII).

¹⁵⁶ BE III, I, 61.

¹⁵⁷ BE III, I, 57.

¹⁵⁸ BE III, I, 56, 57.

¹⁵⁹ BE III, I, 63-69.

¹⁶⁰ BE III, I, 65-71.

¹⁶¹ BE III, I, 58, 59.

¹⁶² BE III, I, 63.

¹⁶³ §§ 42, 43, 113, etc.

¹⁶⁴ TSA XXXVI.

¹⁶⁵ §§ 103, 104.

¹⁶⁶ § 103.

¹⁶⁷ § 108.

¹⁶⁸ § 109.

¹⁶⁹ Babyl. III, 2(VIII).

¹⁷⁰ Babyl. III, 2(XIVa).

¹⁷¹ Babyl. III, 2(VI, XIV).

¹⁷² KHSa 294, 295.

¹⁷³ MOS 43; EBH 254 ff.

¹⁷⁴ §§ 122, 123, 81.

severely punished.¹⁷⁵ The amount of deposit was regulated by law.¹⁷⁶ A minor or slave could only deposit under power of attorney.¹⁷⁷ If a man deposits with another man, the trustee of the deposit is not permitted to make use of the deposit without the owner's consent.¹⁷⁸

Debts must be paid, a man being permitted to sell his wife, son, or daughter as slaves, though only for three years, to pay the debt. The sale of a slave for debt may be perpetual as one learns from a late section of the CH (§ 118), but a slave wife was exempt from such a sale for debt.¹⁷⁹ Failure to pay a debt resulted in a lawsuit, when compensation was always ordered.¹⁸⁰

The Sumerians were a great business people. The numerous contracts show their conceptions of exchange,¹⁸¹ rent,¹⁸² seizure,¹⁸³ heirship,¹⁸⁴ gifts,¹⁸⁵ etc. Taxes were levied either in money or kind.¹⁸⁶

Labor seems to have been well organized in Sumeria. Contracts were common, and there is evidence that the hiring of laborers was done in a regular legal fashion. Free laborers, both men and women, contracted to complete a job in a specified time, and if they failed to do so, they were liable to be summoned to court.¹⁸⁷ Their salary was likewise carefully specified.¹⁸⁸ The rights of laborers were carefully recognized, even by the king who if he should buy a tract of land for his own private preserves would reward all interested and would undertake to find fresh occupation and means of support for both laborers and overseers deprived of their work by his purchase.¹⁸⁹

Laws regulated skilled labor not merely to the advantage of the laborers, but also for the benefit of the employer. A physician who was unsuccessful in an operation was severely punished.¹⁹⁰ Very often punishment was particularly severe, in comparison with the guilt, e. g., If a man deceives a brander and he brands a slave with a mark, making him unsalable, they shall put that man to death and cause him to perish in the gate of his house. The brander shall swear: "I did not brand him knowingly and shall go free."¹⁹¹

All forms of unskilled labor were regulated by law. In the case of damages, great latitude was allowed where damage was unin-

¹⁷⁵ § 124. ¹⁷⁸ § 113.

¹⁷⁶ § 121. ¹⁷⁹ § 119.

¹⁷⁷ § 7. ¹⁸⁰ MOS 38.

¹⁸¹ MOS 39.

¹⁸² CLAD 45.

¹⁸³ MOS (ITT 3516).

¹⁸⁴ CLAD 55.

¹⁸⁵ MOS 41; RA VIII, 23.

¹⁸⁶ TSA, A IV, 12; B IV,

2; TSA 50 (RTC 40, 20);

cf. AJSL 27, 325; 28, 65.

¹⁸⁷ Babyl. III, 2(XX, XIX).

¹⁸⁸ TSA XXXV.

¹⁸⁹ KHSA 206.

¹⁹⁰ § 218; cf. §§ 219, 226,

227, 229, 230, 235, 236.

¹⁹¹ § 227.

tentional or unavoidable, e. g. "If a man hires an ox or an ass and a lion kill it in the field, the loss falls on the owner;"¹⁹² but, "If a man hires an ox and causes its death through neglect or blows, he shall restore to the owner an ox of equal value."¹⁹³ Open and intentional faithlessness in business relations never escaped severe punishment, e. g. "If a man hires a man and puts him over his field and furnishes him with seed grain and intrusts him with oxen and contracts with him to cultivate the field, if that man steals the seed grain or the crop and it is found in his possession, they shall cut off his hands."¹⁹⁴

The stela of Maništusu attests the early existence of slavery among the Sumerians.¹⁹⁵ Slaves were acquired, primarily, no doubt, as a result of war, but commercially they were purchased.¹⁹⁶ The sale of a slave was considered void if before a month had passed the slave became sick; in which case he was returned to the seller and the money was refunded;¹⁹⁷ the purchase was likewise invalid if there existed a previous claim on the ownership of the slave.¹⁹⁸

When a man acquired a slave, he exacted a promise that the slave would not run away. This was usually a legal contract, in which the slave made a promise under oath.¹⁹⁹ The slave could be brought into court to be reminded of the punishment due to a runaway. His mother and sister seem to be made responsible for his conduct.²⁰⁰ If a slave renounced his master he was seized and his ear was cut off.²⁰¹

Slaves, however, had specific rights. They could act as witnesses in lawsuits;²⁰² they could institute a lawsuit about themselves,²⁰³ and win the case against a freeman;²⁰⁴ they could dispose of the property of their master;²⁰⁵ they could contract a marriage with a woman in the service of another master;²⁰⁶ and a female slave, if she bore children to her master, could not be sold.²⁰⁷ Sumerian law permitted emancipation.²⁰⁸

¹⁹² § 244; cf. §§ 249, 250, 266.

¹⁹³ § 245; cf. 246, 263, 267.

¹⁹⁴ § 254.

¹⁹⁵ DEP ii, 25.

¹⁹⁶ BSBAD 16 f.; BE III. 1. 60-61; MOS 37; PBC 118.

¹⁹⁷ § 278.

¹⁹⁸ § 279.

¹⁹⁹ BE III. 1. 55, 56; MOS 43.

²⁰⁰ BE III. 1. 52, 53;

MOS 45.

²⁰¹ § 282; cf. MOS 42, where the repudiation of a slave is a legal transaction.

²⁰² MOS 40.

²⁰³ RA 8. 5.

²⁰⁴ Babyl. III. 2(XIII).

²⁰⁵ Babyl. III. 2(XVI).

²⁰⁶ Babyl. III. 2(XX).

²⁰⁷ § 119.

²⁰⁸ Babyl. III. 2(XIII). 6). 84.

Although slaves had a certain amount of independence, yet they were considered and treated as property,²⁰⁹ even domestic animals being sometimes more expensive than slaves.²¹⁰ Female slaves, as would be expected, being merely property, were more usual than males, though they were cheaper.²¹¹

3. *International Virtues and Vices*

It has always and everywhere been considered greatly to the advantage of a nation to be at peace with its neighbors, and to this end treaties were often made. At the very dawn of Sumerian history there is evidence of a treaty between the chiefs of neighboring states,²¹² and throughout Sumeria's history there are many references to the formation of treaties,²¹³ one of the most famous being that described on the Stela of the Vultures between Lagash and Umma. The power of treaty making was considered always to belong to the deity. The chiefs made the treaty, but it was always in the name of their gods.²¹⁴

An essential part of the ritual of a treaty was the oath which was taken in the name of the gods and sometimes in that of the king.²¹⁵ The oath was a conditional malediction, and violation of a treaty entailed not only a curse, but was also visited with severe punishments.²¹⁶

Wars were of very frequent occurrence in early Sumeria, because of the many small and independent city-states which were so near to one another that their interests were always clashing. An interesting example of almost continuous conflict between two such states is that of Umma and Lagash.²¹⁷ The conqueror was very often cruel and gloried in leaving the bones of the enemy to bleach in the open field.²¹⁸

All wars were religious, for the Sumerians always believed that they fought under the direction and advice of their gods. When one city made war upon another it was because their gods were at feud.²¹⁹ The destruction of the enemy was often ascribed to the actual agency of the deity²²⁰ and plundering was carried out at the god's

²⁰⁹ CLAD 52; RA 8. 20.

²¹⁰ TSA XXXVI.

²¹¹ DEP XIV. 105.

²¹² KHSa 45.

²¹³ KHSa 101. 127.

²¹⁴ KHSa 101.

²¹⁵ KHSa 128; MOS,

passim.

²¹⁶ Cf. KHSa 129.

²¹⁷ KHSa, *passim*.

²¹⁸ KHSa 162; cf. 125.

²¹⁹ KHSa 102.

²²⁰ KHSa 122.

command.²²¹ The foe was considered unconsecrated²²² and ritually unclean,²²³ and a foreign land was a wicked one.²²⁴ Yet, the Sumerians could be merciful, if the dead seen on the Stela of the Vultures be not only their own but also those of the enemy.²²⁵

There is practically nothing known about how the Sumerians treated an individual foreigner, like the *ger* among the Hebrews. From the foreigner's point of view, exile was never contemplated with any degree of pleasure,²²⁶ but that would be natural.

4. *Transcendental Virtues and Vices*

The gods of the Sumerians were national and personal. Each state had its god, and each individual believed in a special protective deity.²²⁷ The gods were enlarged human beings, and were thought to act much like men, except that there was always a tendency to ascribe the best to them. The gods were ordinarily thought to be invisible and more mighty than mankind, otherwise they were not sharply differentiated in attributes and characteristics from men. The gods had wives, sons, and daughters, and were born and died just like mortals.

Sumerian moral ideals are seen in the attributes ascribed to their gods. The gods were holy, righteous, pure, faithful, just, truthful, perfect, piteous, and merciful. Their abodes were places of holiness; they were the authors of law; they directed mankind, and determined its destiny; they loved peace; and they cursed and destroyed the wicked. They were not, however, considered absolutely perfect. The doing of wrong and evil was ascribed to them,²²⁸ and they were considered subject to repentance.²²⁹

The people felt themselves directly dependent upon the gods, and divine worship played an important rôle. Temples were built, and offerings were constantly made. The temple was the house of the gods, each god usually having his own temple, which was duly consecrated and set apart for divine worship.²³⁰ The people like the Hebrew psalmist loved to frequent the temple,²³¹ and built

²²¹ KHSA 121.

²²² LSBP 5. 4.

²²³ LSBP 5. 5.

²²⁴ RSHPN 76. 9.

²²⁵ KHSA 136.

²²⁶ Cf. LSBP 7. 27-28.

²²⁷ SAK 194, *w* and *x*; cf. 196. *e*; TSA LIII ff.

²²⁸ KHSA 190, 191; LSBP 129. 23.

²²⁹ LSBP 139. 27; 293. 4.

²³⁰ SAK 113. 21. I.

²³¹ SAK III. 19. 22 ff.

shrines in every centre of population,²³² often of very precious material.²³³ There were family gods as well as city gods, and often a whole pantheon was developed.²³⁴ Memorials, such as canals, were built in honor of the gods²³⁵ as a sign of the people's reverence for their divine guardians. It is often said that in Sumeria the relation between people and god never rose above a materialistic level,²³⁶ but that can be said almost as truly of any modern people. When the god is offended he devastates the land,²³⁷ and when the goddess is vexed "the ewe rejects her own lamb, the husband slays his wife;"²³⁸ but the gods could be appeased,²³⁹ and when they were appeased the people felt a real love for them — the love of a child for his father.

It is probable that the holiness ascribed to the gods may have been partly ritual and ceremonial, yet as far as the people understood true moral holiness, so they ascribed it to their gods. The oath, for example, was sacred.²⁴⁰ It was a guarantee of truth, and as such was taken in the name of the gods.

The people learned the will of their gods chiefly through oracles,²⁴¹ and the gods were always ready to defend their worshippers.²⁴²

The deity and king stood in very close relationship.²⁴³ In fact, the king was considered the son of the god,²⁴⁴ his seer²⁴⁵ and his prophet.²⁴⁶ The king was the special ward of the gods; they entrusted him with the country;²⁴⁷ they initiated him in the temple,²⁴⁸ and they directed him in righteousness.²⁴⁹ The king, on the other hand, was a dutiful son of the gods. He built and dedicated their temples;²⁵⁰ dedicated canals,²⁵¹ groves,²⁵² silver vessels,²⁵³ and mace heads²⁵⁴ to them, and made their statues.²⁵⁵ The king believed that he reigned by divine right, and therefore represented himself as full of wisdom, and, sometimes, sinless.²⁵⁶

²³² KHSA 85.

²³³ SAK 107. 16. 25.

²³⁴ PGABK 32-81.

²³⁵ SAK 42. a.

²³⁶ E. g. JHBT 250 ff.

²³⁷ LSBP 261-263.

²³⁸ LSBP 139.

²³⁹ LSBP 261-263.

²⁴⁰ RA 8. 3.

²⁴¹ SAK 7. h. 3. 1; 6. h;
cf. KHSA 123.

²⁴² TSA, *passim*.

²⁴³ SAK 18. 5. 42 ff.;
34 k. 1-3; 206. b; 208. 5.
1-2.

²⁴⁴ SAK 15. 18. 8.

²⁴⁵ TSA. h. II. 4.

²⁴⁶ KHSA 196; TSA,
passim.

²⁴⁷ SAK 154. 1.

²⁴⁸ SAK 154. 2. 21.

²⁴⁹ SAK 154. 1. 43.

²⁵⁰ SAK 2. a.

²⁵¹ SAK 3. a.

²⁵² SAK 30. 5.

²⁵³ SAK 34. h.

²⁵⁴ KHSA 99.

²⁵⁵ SAK 2. a.

²⁵⁶ KHSA 190 ff.

Some of the kings loved to represent themselves in humble rôle,²⁵⁷ but others wished to relate themselves as closely as possible to the gods. A great deal has been said about "Emperor"-worship in Babylonia and Sumeria but it cannot thus far be proved.²⁵⁸ Kings claimed divine relationship but there is no evidence that they themselves were worshipped, either before or after their death, as were the kings of Egypt.

Divine worship in Sumeria was highly developed, and in the very earliest times kings were devoted to the worship of their city-gods and to the welfare of their people.²⁵⁹ The prevalent mode of worship was sacrifice, as an act of communion between gods and man, as thankoffering, as votive offerings, and as a propitiating gift to the deity. Offerings of doves, oxen, fish, and many other things were made.²⁶⁰ Special rites were instituted for special occasions, such as for the purification of a city.²⁶¹ Direct communication between god and man was established by means of oracles or visions,²⁶² and often fees were charged for divining.²⁶³

In primitive society the individual, as a rule, withers and the community is more and more — the relation with the gods is usually expressed in terms of the community. In Sumerian society, however, individualism had arrived at a comparatively high level. The individual certainly felt that he could, as such, approach his god and offer him appropriate praise and worship.²⁶⁴ He feared the gods²⁶⁵ and desired to be pleasing to them.²⁶⁶ The Sumerians had supreme confidence in their gods, as many names show, e. g. *Babbar-igi-gab*, "Babbar protects," *En-lil-bád-mu*, "Enlil is my shelter," *Bau-dingir-mu*, "Bau is my god"; and they constantly²⁶⁷ appealed to them, praying for long life,²⁶⁸ for heroic valor, sturdiness, and good health,²⁶⁹ and for compassion and forgiveness.²⁷⁰

That which played the largest part in the worship of the Sumerians was the sacrificial service. Of course, this was not so personal as individual prayers, nevertheless, the individual brought his gift and offered it through the priest to his god. The ceremonies were

²⁵⁷ E. g. Ur-nina, as a laborer, KHSA 111.

²⁵⁸ Mercer, "Emperor"-worship in Babylonia," JAOS 1917. 2.

²⁵⁹ KHSA 110.

²⁶⁰ SAK 16. 21; 16. 1. 40; 14. 19; RDSO 1915. 1383ff.

²⁶¹ KHSA 266.

²⁶² SAK 101. 11. 8-12. 17.

²⁶³ KHSA 183.

²⁶⁴ SAK 42. b. 5. 5.

²⁶⁵ SAK 212. c. 22.

²⁶⁶ SAK 107. 17. 11.

²⁶⁷ SAK 105. 13. 28-29.

²⁶⁸ SAK 214. e.

²⁶⁹ LHRT 18. 12.

²⁷⁰ LSBP 269. 19-26.

very elaborate, often with music,²⁷¹ in which many priests of different ranks officiated.²⁷² The offerings, especially good ones, were always pleasing to the gods.²⁷³ The gods were represented in the temples by their statues, and to them offerings were made.

The gods could always be counted upon to be propitious to their suppliants. They were the hearers of prayers;²⁷⁴ they gave "waters of freedom,"²⁷⁵ and bestowed care upon pious deeds;²⁷⁶ they were the source of righteousness;²⁷⁷ and they loved to bless their own.²⁷⁸

5. *Personal Virtues and Vices*

In all matters whatsoever, the Sumerians laid special emphasis upon personal veracity.²⁷⁹ The numerous extant contract tablets show what a hold the feeling of veracity had taken upon the everyday life of the people. Piety and obedience²⁸⁰ to the gods were associated with the idea of divine justice and truthfulness. The gods were always just, and therefore expected obedience, and obedience generated piety. The individual who was faithful and righteous was always commended,²⁸¹ a life without evil was considered sublime,²⁸² and bravery and purity were usually associated.²⁸³

The Sumerians undoubtedly had many personal vices, as most other people, but the record of very few has been preserved. As has already been seen from the earlier laws of the CH, the Sumerians were accustomed to inflict harsh punishments but whether we can classify that as a Sumerian vice will appear later. They, however, often refer to those who do evil,²⁸⁴ and consider the malediction or curse the most potent and effective punishment for such men.²⁸⁵

²⁷¹ SAK 178. d. 2.

²⁷⁷ SAK 139. 18. 10.

²⁸² SAK 188. i. 2; 212. c.

²⁷² SAK 146. a; 34. h
and i; TSA, *passim*.

²⁷⁸ SAK 216 f. 2; 97. 7.

I; 139. 18. 2.

²⁷³ SAK 109. 18. 7; 101.

8; 36 l. ²⁷⁹ MOS 40.

²⁸³ LSBP 3. 11.

10. 28.

²⁸⁰ SAK 101. 11. 6; etc.;

²⁸⁴ SAK 74. 9. 5; 74. 9.

²⁷⁴ SAK 216. a.

CMI 29. 47.

24; 237. e.

⁷⁵ SAK 154. 2. 17.

²⁸¹ LHRT 22. 9; SAK

²⁸⁵ SAK 76. c. 4; 74.9;

²⁷⁶ LHRT 12. 8.

72. 30 f.; 86. i. 2. 6; 62. d.

etc.

9; etc.

III. ESTIMATION OF SUMERIAN MORALS

1. *Moral Ideals*

IN attempting to gain an idea of the morals of any people or age a standard of judgment must be assumed. The most convenient criterion is the moral standard of our own age. By using this standard of judgment we can compare the moral ideas of any people or age with those of our own age and decide whether they were higher or lower than ours. We may thus commend or condemn the morals of the people or age under consideration. But this criterion cannot be used to commend or condemn the morals of any individual of another people or age than our own. The individual must be commended or condemned on the basis of the morals of his own times — as to whether he has been true or false to the moral ideals of his own people and time.

In order to compare the morals of the Sumerians with our own, our first task will be to find what their moral ideas were, and what was the content of their moral ideas. We shall, therefore, try to discover their Moral Ideals, their idea of Moral Evil, their moral determinants, whether they were conscious of a freedom of will or not, and what their Moral Sanctions were.

The Sumerians always ascribed the best they knew to their gods. If we can learn what that was we shall be in a position to state what their moral ideals were. The chief endeavor of the Sumerians was to please their gods, and in order to do that it was necessary that they should know what the will of the gods was. The Sumerians saw the will of the gods in the customs and laws of their time, for the authorship of all law and precedent was ascribed to the gods. To obey the gods, then, was to be obedient to the custom and law of the time. The Law was, therefore, the moral ideal.

But, what did Sumerian law consist in, or by what was it characterized? Sumerian law consisted in justice, righteousness, truthfulness, etc. But what was the content of justice, righteousness, truthfulness, etc.? Their content must necessarily have depended upon the customs and legal decisions of Sumerian times. The customs and legal decisions of the times, then, will define the moral ideals of the Sumerians.

We shall, therefore, examine the customs and legal decisions of the family, social, international, transcendental, and personal life of the Sumerians in order to determine what the content of their moral ideals was. And we shall begin by noting what ideals the Sumerians ascribed to their gods.

The Sumerian referred to his god as the "sovereign of justice,"²⁸⁶ the "perfect" one,²⁸⁷ the lord of "righteous" command;²⁸⁸ with him they associated such qualities as faithfulness,²⁸⁹ purity,²⁹⁰ goodness,²⁹¹ and uprightness;²⁹² and he was considered the punisher of the wicked.²⁹³ The deities were particularly associated with law both as originators and as administrators. They possessed law as their own,²⁹⁴ and there was a tendency to ascribe all law to them.²⁹⁵ As a rule, whatever was ascribed to the gods was "perfect," "righteous," and "just." Therefore, all law was just because it belonged to and came from the gods. The numerous legal contracts, representing the Sumerian period, illustrate the important rôle which law played in the everyday life of the Sumerian people. The law of the gods was, in short, the moral ideal of the people. It was their standard of all "perfection" and "justice."

Now, the just law of the gods, as the moral ideal, consisted in speaking the truth,²⁹⁶ which was often guaranteed by an oath, especially in contracts. The many Sumerian contracts show how great was the dependence upon a promise, which the contracting parties accepted as true. The moral ideal consisted also in what was right, which likewise was guaranteed by an oath, usually in the name of the gods;²⁹⁷ e. g. a true servant is he who does what is right or good.²⁹⁸ It consisted in the recognition of honesty; e. g., the home-transgressor is rewarded for his honesty in owning his

²⁸⁶ LSPB 85. 4. The word for "justice" is *Ka-gi-na* = *tamû kitu*, to speak justice (R IV, 9. rev. 5). *Kitu* = "truth," "right," "reliability," "just."

²⁸⁷ SBP 289. 1. The word is *ul-e* = "the perfect one."

²⁸⁸ LSPB 289. 4. "Righteous" = *zi* = *immu* = "right," "righteousness."

²⁸⁹ LSPB 259. 21. "Faithfulness" = *zi*.

²⁹⁰ LSPB 329. 6. "Pure" = *azag* = "bright," "clean."

²⁹¹ SAK 92. III. 9. "Good" = *dug* = *tabu*.

²⁹² JAOS 34, p. 317.

²⁹³ RA 9, p. 74, l. 3, *hul-gál-ra*; *hul* = (a) to do violence, (b) to act wickedly.

²⁹⁴ E. g., *tíl-la d.Nisaba*

ù d.Ĝa-ni, "law of Nisaba and Ĝani," CMI 19. The word *tíl* = "be complete." It is used largely in contracts.

²⁹⁵ E. g. Hammurapi.

²⁹⁶ LHRT 19. 4, *gu-zid-de-a*.

²⁹⁷ JBAL 39.

²⁹⁸ SAK 82. f. 1. 8.

wrong.²⁹⁹ It consisted in the love of justice,³⁰⁰ and the abhorrence of wickedness.³⁰¹

But did the ancient Sumerians mean the same thing by *ka-gi-na*, *zi*, *dug*, etc., as we mean by "to speak justice," "righteousness," "good," etc.? Ideally, they did. Gudea tells us that during a religious festival, in his time, the maid was equal to her mistress, the master and the slave consorted together, the powerful and humble lay down side by side, the rich man did not wrong the orphan, the strong did not oppress the widow, and the sun shone justice and Babbar trod injustice under foot.³⁰² In general, the ideal required that law be the same for the poor as for the rich.³⁰³

The actual laws and customs of the times, however, will teach us how near in practice the Sumerians really approached this ideal. Their actual practice in these matters as compared with our own will determine their moral status as a people.

It is true that we have evidence in Sumerian inscriptions that there was a great deal of freedom and real harmony, e. g., in family life,³⁰⁴ and that the husband showed a real sense of duty even to a divorced wife³⁰⁵ — which, however, may have been more the result of the presence of law — but it is evident that clemency was the father's prerogative.³⁰⁶ He could divorce his wife at will,³⁰⁷ and inflict the severest punishments upon the members of his family.³⁰⁸ In short, the father of a family had rights which no one else possessed.³⁰⁹

To a certain extent the mother shared the father's authority and rights. Children owed obedience to her as well as to the father,³¹⁰ and she, as well as the father, had the power of disinheritance.³¹¹ Both parents shared the family responsibilities. They were obliged to care for their children,³¹² and care for orphans was always demanded.³¹³

On the other hand, the power of the father always tended to be restricted by legal decisions, which became established law,³¹⁴ e. g.,

²⁹⁹ CMI VI.

³⁰⁰ LHRT 16. 25, *nig-si-sá-e*; *si* = *kánu*, dialectic for *zid* = right.

³⁰¹ LHRT 16. 26, *nig-enim-e*; *enim* = evil.

³⁰² SAK 136-139.

³⁰³ TSA, Cone B V, 22; XI, 17.

³⁰⁴ LHRT 6. 13; 132; VI; SAK 103. 13. 3-5; see also above.

³⁰⁵ Babyl. III. 2(IX).

³⁰⁶ See above.

³⁰⁷ See above.

³⁰⁸ §§ 195, 43.

³⁰⁹ §§ 132, 143; SFL 5;

see also above.

³¹⁰ MOS (ITT 960); CMI

³¹¹ See above.

³¹² LSBP 285. 9; cf.

SAK 103. 13. 3-5; LHRT.

6. 12.

³¹³ TSA, p. XXII.

³¹⁴ § 168.

marriage was a legal contract;³¹⁵ the right of the father to sell wife, son, or daughter was in time restricted to a sale which was valid only for three years;³¹⁶ the wife's definite rights increased,³¹⁷ e. g., a man could not take a concubine without a valid excuse;³¹⁸ a slave wife could not be sold if she bore children; and children had legal property rights.³¹⁹ The father's control over servants was even greater than that over his wife and children, yet servants had their rights,³²⁰ and were treated in such a way, that in turn they often showed real respect for their master.³²¹

In Sumerian, as in all society, efforts were continually made to bring about reforms in family law,³²² but down to the end of Sumerian civilization the head of the family enjoyed peculiar rights — rights which would be called unjust when judged by the standard of modern family customs.

In social life, the king was always revered by his subjects, he was the righteous shepherd of his people,³²¹ and regulated all decisions;³²² he was full of wisdom³²³ and devotion,³²⁴ and by him, as the standard of justice, as well as by the gods oaths were sworn.³²³ The ideal king was not extortionate, and took care that taxes were as light as possible;³²⁴ and he was merciful in battle.³²⁵ It was a common practice to make votive offerings for a ruler³²⁶ — a practice which showed real devotion to the king.

The relation between individuals demands good deeds,³²⁷ truthfulness,³²⁸ justice,³²⁹ and mercy.³³⁰ The relation of the individual to established law was that of obedience, for the established law was meant to be just,³³¹ being the gift of the just gods; nor should the just decisions of the gods ever be changed.³³²

The Sumerians had a keen sense of property rights, and it was here that their sense of legal justice was most highly developed. Agreements were made in all property transactions and contracts were duly drawn up in legal form, and sworn to by the name of the gods and that of the king before witnesses in the presence of proper legal officials. E. g., law protected the owner or tenant from any

³¹⁵ § 128. ³¹⁶ § 117.

³¹⁷ § 142; see also above.

³¹⁸ See above.

³¹⁹ § 191; RA 8. 24; see above.

³²⁰ MOS 40.

³²¹ SAK 82. f. 2. 10.

³²² KHSA 180-182.

³²³ See above.

³²⁴ KHSA 271-2.

³²⁵ KHSA 125.

³²⁶ CMI 7.

³²⁷ LHRT 22. 12.

³²⁸ MOS 34, n. 3.

³²⁹ CMI 23.

³³⁰ CMI 20.

³³¹ KHSA 271.

³³² SAK 74. 38. 42, 43.

unfair treatment.³³³ The Sumerians were very painstaking and exact in all business affairs, and preserved painstaking inventories of all details. Receipts were given and always acknowledged in a regular legal fashion. The moral ideal in business life, therefore, was strict justice, truthfulness, and honesty.

Free laborers were hired in a legal way and had their definite rights,³³⁴ and salaries were paid according to a legal scale at set times.³³⁵ Even the king felt keenly his responsibility to the laboring class.³³⁶ Slaves, however, were not treated as freemen, but were considered the property of their master.³³⁷ Slaves were bought and sold just like cattle.³³⁸ Yet they were supposed to be morally truthful and were expected to take an oath³³⁹ and to act as witnesses;³⁴⁰ and they had the right to appear in a lawsuit in their own favor.³⁴¹ They also had a certain independence for they could contract marriage with women in the service of other masters,³⁴² and could dispose of the property of their masters.³⁴³ The more humane rulers, such as Urukagina from time to time tried to establish as much of liberty to all men as possible,³⁴⁴ but slavery was always the rule.

The Sumerians made repeated efforts to better social conditions, as the reforms in the reign of Urukagina show.³⁴⁵ He restored sacred lands that had been taken by a former king, reduced the number of unnecessary secular officials, deposed officials condemned for bribery, reduced the scale of exorbitant priestly fees, punished theft, and put a stop to forced labor.

Peace was the international moral ideal, and many treaties were made to obtain it. They were secured by oath³⁴⁶ in the name of the gods, and hence were established upon justice and truthfulness. The violation of a treaty was to be punished severely.³⁴⁷ Yet in spite of treaties, wars were very frequent; but the slaughter involved was excused as having been commanded by the gods, for the wars were holy.³⁴⁸ Great care was accordingly taken to treat the dead in a proper manner.³⁴⁹

³³³ § 42.

³³⁴ Babyl. III. 2(XIX, XX).

³³⁵ TSA, p. XXXV.

³³⁶ KHSa 207.

³³⁷ §§ 218, 219, 226, 227.

³³⁸ BE III. 1. 60, 61.

³³⁹ BE III. 1. 55, 56.

³⁴⁰ MOS 40.

³⁴¹ RA 8. 5.

³⁴² Babyl. III. 2(XX).

³⁴³ Babyl. III. 2(XVI).

³⁴⁴ KHSa 184.

³⁴⁵ KHSa 178 ff.

³⁴⁶ KHSa 128.

³⁴⁷ KHSa 129.

³⁴⁸ KHSa 121, 122.

³⁴⁹ KHSa 136.

The transcendental moral ideal of the Sumerians may be said to have been piety. Their gods were holy, righteous, just, truthful, pure, good, perfect, compassionate, merciful, mighty; and the right attitude towards such beings was one of obedience, love, and worship. The state as a whole recognized these obligations, as did also the individual. The gods were not only the protectors of the just, but they were also the punishers of the wicked. The temples and shrines of the gods were always thronged with devout worshippers, and the gods were the source of protection, and by their oracles their worshippers were guided.

The king's relation to the gods was of a special nature, for his distant ancestors were the very sons of the gods, and each king loved to call himself the son of his god or goddess. Moreover, they were the prophets of the gods, the intermediary between them and mankind. They were also the chief priest, and offered sacrifices and gifts for themselves and people to the gods.³⁵⁰ All the king's power was a gift from the gods, and the gods chose him³⁵¹ and crowned him,³⁵² and in return the king built temples, groves, canals, statues, shrines, etc., and dedicated them to his god. The kings were often considered sinless,³⁵³ because of their devotion to the gods and to the welfare of their people.

The individual's relation to the deity was that of true obedience and pious reverence. His true attitude was "to cast down the face"³⁵⁴ before his god. Although he feared his god, he also had absolute confidence in him, as the many Sumerian names, expressive of this sentiment, would show. Each person had his own god to whom he especially prayed and from whom he received blessings, but all the gods were the object of personal love, reverence, and adoration.

Truth may be said to have been the personal moral ideal of the Sumerians. Its association in the mind of the Sumerian with justice is apparent, and it may owe its great development to their keen sense of justice. Next to veracity is piety which is so characteristic of the Sumerian individual, and here again the idea is wrapped up with that of justice which belongs in essence to the gods. Finally, obedience to the gods was a universal Sumerian ideal, and this again

³⁵⁰ TSA, *passim*.

³⁵² SAK 154. 2. 21.

³⁵⁴ SAK 42. b. 5. 5.

³⁵¹ SAK 12. 6.

³⁵³ KHSa 190.

is intimately associated with the idea of justice. The Sumerian, indeed, was most decidedly a law-abiding individual. The righteous man is always he who is true, pious, and obedient; he also was brave,³⁵⁵ but that was not an essential. The evil man was always despised and subject to malediction and punishment.

Nor is the moral ideal an external one, as might be expected from an ancient people. The Sumerians, perhaps, laid a great deal of stress upon external requirements in religious matters, but their moral ideal is decidedly an internal and high one. The law must be obeyed not merely (although, perhaps, primarily) because the gods gave it, but in order that the heart may feel satisfaction.³⁵⁶ The word *azag*, meaning, "clean," though often used in a way which would appear to indicate an external or ritual idea of "cleanness,"³⁵⁷ is nevertheless often used in an internal and moral way.³⁵⁸ The Sumerians developed a keen sense of truth and obedience, and their piety sprang out of a true love of the gods and of things pertaining to them. The Sumerian loved to frequent the temple of the gods³⁵⁹ not because he was forced to do it, but because of his real inward piety.

The moral ideals of the Sumerians, then, may be said to have been expressed in terms of the just law of the gods, and of obedience to it. The moral attitude necessary to the realization of the ideal was obedience to the gods. The moral ideal in family life consisted in truth, justice, and righteousness; in political or social life it consisted in justice, honesty, righteousness, truth, and mercy; in international life it consisted in peace; in transcendental life in piety, obedience, love, and worship; and in personal life in truth, piety, and obedience.

2. *Moral Evil*

Moral evil was primarily regarded as consisting in the transgression of the law of the gods. The law of the gods was seen in the customs of the times as well as in actual codified law. Sumerian family custom or law was very severe upon sexual impurity; in adultery, both participants were thrown into the river; the punishment for fornication with a betrothed girl was the death of the man;

³⁵⁵ SAK 214. f. 12.

³⁵⁶ SAK 214. d.

³⁵⁷ E. g., SAK 214. d. 1. 11; etc.

³⁵⁸ LSPB 235. 1, 2, and

content; SAK 214. d. 1. 4; etc.

³⁵⁹ SAK 111. 19. 22 ff.

even abduction was punished with death; incest of all forms was hated; and the harlot was considered unholy.

Truthfulness was at a premium, as the many oaths in the name of the gods show. The Sumerians were so exacting in this matter that often the veracity of witnesses in a lawsuit was questioned and a new process was undertaken to get at the truth.³⁶⁰ A lie was not permitted to go unnoticed;³⁶¹ and the slanderer was severely dealt with, often by being branded.

Moral sin was believed to offend the gods because it was against their commands, and it was natural that the sinner should ask his gods for their forgiveness. The gods took cognizance of sin, and expected his clients to acknowledge it. One Sumerian prayed thus: "My queen knoweth what I have done, oh conceive compassion; forgive my sins, lift up my countenance;"³⁶² another says: "Of him who hath sin thou dost receive the petition."³⁶³ The gods were full of mercy.³⁶⁴

Social moral evil consisted in oppression and cruelty. Cruelty was undoubtedly common especially towards enemies, the king being sometimes depicted in the act of driving an arrow into the neck of a captive pleading for mercy,³⁶⁵ and oppression was common in the reign of unscrupulous kings who levied unjust revenues and heavy tribute.³⁶⁶ Personal relationship frowned upon stealing, robbery, falsehood, and slander, all of which were severely punished. The suppression of justice and bribery was common, but always condemned. Deceit in business was severely handled. Urukagina's reforms³⁶⁷ give us a fair idea of the unfavorable condition which sometimes prevailed in Sumeria, and also of what a king like Urukagina considered socially wrong. He tells us that before his time in Lagash, excessive taxes were levied, and the taxgatherers billeted themselves on the people; that the patesi used to appropriate the property of the temple for himself and that the sacred oxen were used to plough the land of the patesi; that the priests grew rich at the expense of the temple and plundered the people; that they entered the garden of the people and cut trees and carried off the fruit for themselves; that they used to keep on good terms with the

³⁶⁰ RA 8. 4, 5.

³⁶¹ JAOS 36. 96. 1. 29 and content.

³⁶² LSBP 257. 5-8.

³⁶³ LSBP 269. 5, 6.

³⁶⁴ LBL 128. 21-35.

³⁶⁵ E. g., JHBT 270.

³⁶⁶ LHRT 19. 8.

³⁶⁷ KHSA 178.

palace by dividing the spoil; that they oppressed the people by confiscating their property; and that they used forced labor and misused the laborers by means of force. These conditions prevailed, but they were reformed by Urukagina, who felt their great injustice. Yet it was certainly thought that sin was not confined to ceremonial, ritual, or external wrong; but was morally conceived; for sin resulted in disgrace.³⁶⁸

International moral evil has always been cruelty and it is not surprising to find evidence of such in Sumerian inscriptions,³⁶⁹ though there is not a great deal of it.

The moral evil in Sumerian transcendental life is that which arouses the anger of the gods. It is not clear what that was, but disobedience or irreverence may be assumed. When the deity is vexed devastation, murder, etc., prevail.³⁷⁰ Prayer for forgiveness and compassion was then in order.³⁷¹

Personal moral evil consisted in disobedience to the customs and laws of the time.

As already seen, punishments were often very severe especially in the case of sexual sins. This may indicate a rather external, material, or ritual idea of the conception of sin. For example, a man was put to death for committing fornication with a betrothed girl. This may be because such an act would cause a depreciation in the value of the girl in the eyes of her father who expected to receive the bride price from her future husband. Even adultery is not punished with any such severity. But this is another instance of the relation of the father to the family, and the law was made or the custom arose with his interests in view. The same is probably the explanation of the severe punishment of an abductor.³⁷²

The Sumerians believed that suffering always brought its own reward. One suffers what he deserves,³⁷³ and the gods see to it that the sinner is punished by being cursed.³⁷⁴ Suffering was considered a mental as well as a material thing.

There is no doubt, on the other hand, that sin was not always morally considered. The breaking of a ritual or ceremonial law was often considered quite as blamable as an offence against a moral

³⁶⁸ LBL 78. 6-7; 79. 5, 6.

³⁶⁹ KHSa 125, 162.

³⁷⁰ LSBP 139, 261-263.

³⁷¹ LSBP 269. 19-26.

³⁷² CMI VII.

³⁷³ LSBP 9. 29.

³⁷⁴ LSBP 207. 38, 39.

law. The consecrated woman was punished with death if she ever took part in secular business,³⁷⁵ because of her ritual holiness, and she evidently was never permitted to bear children to a man who became her husband³⁷⁶ for the same reason. The many references to the unconsecrated, and to unclean hands³⁷⁷ likewise point to a ritual idea of sin.

As to a theory of the origin of moral evil, there is nothing to be found in Sumerian inscriptions which is equivalent to the Paradise story of the Old Testament or the *yetzer* theory of later Judaism. The interest of the Sumerians was practical rather than metaphysical. They realized the existence of evil, and assumed, without debate, that it came from the world of spirits which surrounded them. They would not accuse their gods of being the origin of sin; but besides gods there were numerous demons, spiritual and unseen, beings from whom came sickness and death and to whom were ascribed all evil.³⁷⁸ The "evil eye"³⁷⁹ was the malevolent glance of a demon.

Moral evil in Sumeria consisted primarily in a violation of the customs and laws of the gods and was expressed in sexual sin in family life; in oppression and cruelty, falsehood and injustice in social life; in cruelty in international life; and perhaps in disobedience and irreverence in transcendental and personal life.

3. *Free Will*

With the idea of a sense of moral evil must go a feeling of free will. Evil cannot be considered blamable unless there is a certain freedom of the will. If a man has no choice but to do evil, he cannot be held accountable for the evil which he has no power to avoid. The Sumerians had a sense of moral evil, as distinguished from ritual and ceremonial "wrong" or incorrectness. They differentiated moral right from moral wrong. They felt themselves *morally* responsible. This their numerous contracts are sufficient to show. "The house-usurper was cognizant"³⁸⁰ that what he had done was wrong; and that he had consciously and wilfully done an evil deed.

³⁷⁵ § 110.

³⁷⁶ §§ 144-147; see, however, BE VI. 2, No. 8.

³⁷⁷ LSBP 3. 23; 3. 24; etc.

³⁷⁸ Langdon, *Tammuz and Ishtar*, Oxford, 1914, p. 35.

³⁷⁹ LBL II. 1.

³⁸⁰ CMI VII.

On the other hand, as in Old Testament and later Jewish literature, there is evidence in Sumerian inscriptions to show that the Sumerians believed to a certain extent in predestination. They spoke of the "tablets of fate of the gods,"³⁸¹ and of one being inscribed into the book of life.³⁸² In the word *nam-tar-tar-ri-e-ne*, the use of the plural *e-ne* shows that the Sumerians considered the fates to be deities.³⁸³ The gods were believed to have the power of directing the world and each man's destiny was in a broad and general way prescribed by them.³⁸⁴ This did not, however, prevent them from believing, at the same time, that each man had the personal power, with the help of the gods, of directing his immediate acts. Nor did they feel any incongruity in these two seemingly opposite ideas. The belief in prayer to the gods assumed a belief in freedom from predetermined destiny.

Moral determinants may be enumerated as, heredity, environment, social tradition, and personal initiative. These forces always condition a people's morals.

Let us, then, examine Sumerian customs in the light of these forces. The Sumerian family, we know, was patriarchal, at least in historical times. The father was head and owner of the family. He owned wife and child just as he did sheep or oxen, and had the legal right to dispose of them. Patriarchal rights were handed on from generation to generation, and though from time to time decisions were made limiting that right, and these decisions gradually became law, yet the patriarchal rights among the Sumerians were to a great extent hereditary. The environment of Sumerian society was such that it tended to accentuate the right of the *pater familias*. The government was monarchical, each city at first having its own prince or king. The family was a government in miniature, and the necessity of the preservation of family integrity demanded a leader and head in which all family life and forces could centre. That leader was necessarily the strong one of the family; as a rule, the father.

Every society is conditioned, *ab extra*, by an environment or atmosphere which we call social tradition, and in the case of the Su-

³⁸¹ LSBP 208. 5-6.

³⁸² RSHPN 49. 1.

³⁸³ Langdon, *Sumerian Grammar*, p. 187.

³⁸⁴ SAK 101. 10. 13; LHRT 24. 28; RSHPN 80. 11; etc.

merians, this further tended to emphasize the established nature of the family as a group of individuals looking to the father as head.

There were, however, always those stronger persons who possessed sufficient force of character to disregard by personal initiative certain social customs, and this is how we account for certain definite progressive strides in ancient civilization. It likewise explains how that in Sumerian society the father of the family was often forced to recognize the rights of inferior members of the family. But heredity, environment, and social tradition were so strong in Sumerian family life that to the end the father remained virtually dictator of family affairs, and personal initiative never played much of a rôle.

The same may be said of the effects of heredity, environment, social tradition, and personal initiative in social, international, transcendental, and personal life. The actions of a king, or state, or individual were conditioned by heredity, even as they were by environment and tradition, and yet there was always a place for personal initiative. These circumstances must always be taken into consideration in the determination of the nature of the morals of any people or age.

4. *Moral Sanctions*

Moral sanctions or considerations which give force and authority to moral laws may be either external or internal. They may refer to rewards or punishments imposed from without, or to consequences of conduct which arise spontaneously from within. The Sumerians' respect for the just law of the gods is the nearest approach we find to an internal moral sanction in Sumerian religion. It is true, disobedience to the law called forth punishment, and in that respect, was an external moral sanction, but obedience to the law had become hereditary and traditional and the virtue of keeping the law was perhaps its own reward. The moral ideal was perfection or sinlessness, and that state could be arrived at only through obedience to the law.

The most potent Sumerian moral sanction, however, consisted in rewards and punishments imposed from without by an external authority in the present, that authority being either divine or a constituted legal authority. The gods became angry with the sinful and punished them; and established law provided punishment for the offender.

Unlike the Hebrews there was no appeal to future rewards and punishments in Sumerian thought. The Sumerians believed in the survival of the soul (*edimmu*) in the future, in *Arallū*, the land of the dead; but *Arallū* was a "place of desolation."³⁸⁵ Offerings were made for the dead, but primarily for the purpose of keeping them from harming the living. In the Sumerian conception of life after death the moral factor was entirely absent. Nor did the gods ever concern themselves with the dead, who lived in a gloomy and silent habitation.³⁸⁶ What happiness a man may desire must be secured in this life, and hence moral standards were completely adapted to the present needs, without any reference to the future. The future, therefore, did not hold any moral sanction for the Sumerians as it did for the Hebrews. It was in this life that moral sanctions were to be found, and they were found chiefly in the fact that the gods demanded obedience to just laws — adherence to moral standards.

5. Conclusion

In conclusion, it will be well to enumerate the main features of Sumerian morals, and to make an estimate of them. In making this estimate we must be careful to distinguish between national and individual morals, for while the morals of a nation may be commended or condemned in comparison with the morals of our own time, individual morals must be judged in the light of the customs of the age of the particular individual under consideration.

Our study of the morals of the Sumerians as a nation has revealed certain defects. Their idea of the deity was far inferior to ours, for while they considered the gods to be the source of all justice, truth, righteousness, etc., yet their justice, truth, and righteousness were national and not international. Moreover their gods were conceived in a very anthropomorphic way, and were subject to the need of change and repentance just as men are. In short their moral conception of their gods was a limited one, but very high within those limitations. Again, their idea of the rights and privileges of the head of the family was inferior when considered in the light of the twentieth century, but its limitations were due to the

³⁸⁵ Langdon, in Briggs, *Essays in Modern Theology*.

³⁸⁶ Compare "The Descent of Ishtar."

customs and traditions of the time. "Convention is king over all," says Pindar, and according as convention changed, so the rights of the father were more and more limited. Another defect was noted in connection with the subject of punishment. Many of the punishments regulated by Sumerian law were far too harsh in our judgment. But they again were regulated by custom and tradition, for certain punishments which are considered just in the twentieth century may be considered equally harsh in the thirtieth century. The *lex talionis* and capital punishment serve not only to show how comparatively cruel the Sumerians were, but they may also be taken as an indication of the great abhorrence felt by the Sumerians for certain types of sin. Slavery was another national defect, but that again was in order among all ancient peoples. That Sumerian slaves enjoyed certain very definite rights was a step in that direction which finally led to the banishment of slavery; but not till many thousands of years had passed. There were other defects, if we judge the Sumerian people by our twentieth century standards; e. g., the people apparently had very little share in the government; magic controlled much of the religious life, and sin was apt to be very physically conceived. But here again we must keep in mind the moral determinants of the age e. g., heredity, environment, and social tradition.

On the other hand, our study has revealed to us much evidence of real moral strength in the character of the Sumerians. We have seen that their moral ideals were very high, and that their practice often very nearly approximated their ideals. The moral ideal in family life, we have seen, was truth, justice, and righteousness; in political or social life it was justice and righteousness, truth and mercy; in business life it was justice, truthfulness, and honesty; in international life it was peace, established upon justice and truth; in transcendental life it was piety, consisting in obedience, love, and worship; and in personal life it was truth. In short, justice and truth were the great and fundamental moral ideals of the Sumerians. Nor was the moral ideal merely external, consisting in a materialistic morality; it was certainly also internal, being persisted in out of a desire for real heartfelt satisfaction.

Their idea of moral evil was a very discriminating one. Moral evil generally consisted in a transgression of the laws of the gods.

In family life it consisted chiefly in injustice and immorality; in social and political life, in oppression and cruelty; in international life, in cruelty; in transcendental life, in irreverence; and in personal life, in disobedience. These moral evils were strongly detested and severely punished. In short, moral evil consisted in the violation of the laws and customs of the times, or in other words in the violation of the will of the gods. Sin was often considered ceremonially, but it was certainly also considered from a purely moral point of view.

Moral sanctions have also been considered, and we found that here also there was not lacking a real internal sanction, though the predominating one was external.

The individual Sumerian cannot be judged in the light of the twentieth century. He must be commended or condemned according as he obeyed or disobeyed the laws of his time. He was, as is every individual of every age, controlled by certain moral determinants, such as heredity, environment, and social tradition. All these must be taken into consideration in our estimation of his morals. We have, accordingly, found that the Sumerian was a truthful, just, and pious individual; he was conscious of a certain amount of free will; he was accustomed to weigh motives and intentions; and yet he felt that his life and destiny were in a way controlled by the gods.

In short, our study of Sumerian morals has led us to believe that the Sumerians as a people may be said to have been especially characterized by their devotion to justice and truthfulness; and in spite of the presence of much materialism in their social life and of much regard for ceremonial in their religious life, their moral ideals were singularly high. Judged by a twentieth century standard they were as a nation on a much lower level, generally, than the nations of the Western world. On the other hand, there is nothing to show that the individual Sumerian, judged as he must be by the moral standards of his own time, was anything else than a truthful, just, law-abiding, and pious subject of his king and gods.

BABYLONIAN PATRIOTIC SAYINGS

By JOHN A. MAYNARD, General Theological Seminary, New York

TEXT No. 8 in Ebeling's *Keilschrifttexte aus Assur, religiösen Inhalts* (p. 12), is a collection of patriotic sayings, praising the cities of Nipur and Babylon. The text is bilingual.

There is some similarity between the tone of these sayings and passages of Hebrew and Jewish post-exilic writers especially Ez. 20: 6, 15; Zech. 7: 14; Dan. 8: 9; 11: 16, 41; Enoch 89: 40.

These sayings are, as far as we know, the earliest patriotic slogans in existence. Babylonia was of course supposed to be the center of the world (cf. C. T. XXII, 48). According to Ezekiel 28: 2 ff., the prince of Tyre would have made a similar boast for his city, an assertion which Hebrew patriots resented very much. The Jewish idea that Jerusalem was the center of the world was not without influence on theologians during the Middle Ages.

TEXT

Obv. ¹ [. . . DIN]TIR ^{ki}	. . . u . . .
² . . . ^d Ellil-la-ge	šu-ba-ru-u ša ⁱ¹ Ellil
³ nam-ġul-am	ša-ar-ta ina pa-ni-šu-nu
⁴ [i]-de-šu ab-gib-bi	u-šap-ra-ku
⁵ [nam]-tag-ga-bi ab-ġur-ġur	a-ra-an-šu-nu i-za-bi-lam
⁶ Nibru ^{ki} uru ^d Ellil-la	Ni-ib-bu-ru al ⁱ¹ Ellil
⁷ DIN-TIR ^{ki} šag-gi-rá-ge	Ba-bi-lu bi-bil lib-bi-šu
⁸ Nibru ^{ki} DIN-TIR ^{ki}	Ni-ib-bu-ru DIN-TIR ^{ki}
⁹ úš-bi aš-am	te-im-šu-nu ediš-ma
¹⁰ DIN-TIR ^{ki} lu igi-da-šu	Ba-bi-lu ša ana da-ga-li
¹¹ [as]lil sig-eš	ri-ša-ti ma-lu-u
¹² lu-ku-a DIN-TIR ^{ki}	a-šib Ba-bi-lim
¹³ Nam-til-la be-in-sig-ga	ba-la-ṭa ut-[tar]
¹⁴ DIN-TIR ^{ki} su-lum	Ba-bi-lu as-sa-nu-u
¹⁵ Dilmun ^{ki} kuku-da	Dilmun ša ana da-[aš-pi]
Rev. ³ nam-ab-ba u . . .	[ši-bu-tu ?] . . .
⁴ ši-in-ġi egir-bi	i-maḥ-ḥa-[aš]

Rev.	⁵ si-sá-e-de	ar-kat-su [it-ta-šir]
	⁶ lu nig-gul DIN-TIR ^{ki}	ša li-mut-ti Ba-bi-lim
	⁷ [mu-ši]-dug-ga	i-qab-bu-u ina ter-ti
	⁸ [a-ag-g]à-šu mu-un-zig-ga	i-na-šaḥ ana qa-at ša
	⁹ . . . be-in-gar	Belit iš-ša-kin
	¹⁰ . . . DIN-TIR ^{ki}	ša Ba-bi-la-a i-za-ba-l[am]
	¹¹ . . . e	mar Ba-bi-li i-ḥab-bi-lu i- . . .
	¹²	ša li-it mar Ba-bi-lim
	¹³	i-ma-ḥa-ṣu i-mir (?) - . . .
	¹⁴	. . . -šu šaknu libbu-šu ul HI (?) . . .

TRANSLATION

- Obv. ¹ . . . Babylon ² wards of Ellil.
³ Their punishment from before their faces ⁴ he causes to be warded off ⁵ Their sins he bears
⁶ Nippur is the city of Ellil ⁷ Babylon the desire of his heart
⁸ Nippur and Babylon, ⁹ their policy is one.
¹⁰ Babylon, to look upon her ¹¹ fills with joy.
¹² He who dwells in Babylon ¹³ shall live in abundance.
¹⁴ Babylon the assanu-fruit ¹⁵ of Dilmun which is good for sweets.
- Rev. ³ if old age smites him
⁵ his future shall be straight.
⁶⁻⁹ Whosoever speaks evil of Babylon, by a divine ordinance shall be seized away.
¹⁰ Whoever shall kidnap a Babylonian citizen of Babylon abundance truly he shall . . .
¹²⁻¹³ Whosoever strikes the offspring of a Babylonian or . . .
¹⁴ his . . . is settled, his heart will not . . .

NOTES

- Obv. 2. "wards" or perhaps "sacerdotal rights." The text is too damaged to be translated. Perhaps we had here some civic rights of the Babylonians similar to those in CT XV 50 = 4 R. 48. Cf. Langdon JAOS, 28, I 145-154.

- Obv. 5. izabilam for izzabilam. For the use of *i* in the niphāl, Cf. Meissner, *Sum. Gr.* § 58.
7. Mark the assonance.
- 10-11. Our translation is not literal. The Sumerian reads "They who look upon her shall be filled with joy." The use of *šu* in a dependent clause is classical in Sumerian. Cf. Langdon, *Sum. Gr.* p. 183. The Semitic translator does not seem to have understood this grammatical nicety.
11. The printer has numbered this line wrongly as 10; we restore the proper numbering on the obverse.
13. lit. increaseth (his) life. *uttar*, piel of inner action.
14. as-sa-nu is the Talmudic *āsânâ*, bramble-nut. Cf. Meissner, Supplement 13 a, s. v. asnu. We do not know whether it is the same fruit as the Assyrian *sinu*. Cf. ZA, VI, 293. The *ašnu* or *asnu* is also mentioned in the Wadi-Brissa Inscription. Cf. Langdon, VAB, *Neubabyl. Königsinchr.* (160¹³ 168²⁴ Cf. 154⁴⁴) and E. Unger and F. H. Weissbach, ZA, XXIX, 182. The translation "dates of Dilmun" (ZA, XXIX, 182) is better than "prickly pears" (VAB, IV, 155, 161, 169). The latter could not keep during a journey from Dilmun to Babylon. There were — and always had been — plenty of prickly pears in Babylonia and there is no reason why they should have been called "dates of Dilmun." Indeed there is nothing in a prickly pear to suggest a date and to justify a name like *sulum* (ma) Dilmun^{ki}.
- Rev. 7. *ina terti* "by divine ordinance" rather than "by law."
15. *dašpi* means any kind of sweet, honey, marmalade: Cf. Arabic *dibs*.
8. *inasaḥ* for *innasaḥ*. The form of this saying recalls omen-texts.
14. We cannot translate this line. Perhaps the last verb was DUG-GA, to be good, but this seems rather weak.

THE DISEASE OF KING TEUMMAN OF ELAM

By PAUL HAUPT, Johns Hopkins University

SARDANAPALUS (668-626) states in the cuneiform account of his seventh campaign that King Teumman of Elam demanded the surrender of his nephews who had taken refuge at the Assyrian court. When his demand was refused he began to make war against Assyria, although he was smitten at that time with a disease which manifested itself on his lip and in his eye. This attack was attributed to Assur and Istar.

GEO. SMITH (1871) rendered the passage (iii R 32, 11-13^a; cf. RP 9, 50):¹ *In those days, before she received him, her lips cursed, and her eyes flamed, and vengeance was fixed in her heart.* In KB 2, 248, ll. 12. 13 (1890) the three most important words are not translated. HW 313 (issued in 1895) explained l. 12: *Seine Lippe wurde verzerrt (?) und sein Auge verdrehte sich* (His lip was twisted awry, and his eye goggled). If the meaning *distorted* were correct, it would be better to read *uqtambil* = *uqtabbil* = *uqtallib*; cf. Arab. *šāfah munqālibah*. For the transposition cf. Assy. *qablu*, midst = Arab. *qalb*, heart (see GB¹⁶ 698^a; AJSL 32, 64).

AoF 1, 252 (1895) has: *Seine Lippen krampfien sich(?)*, *sein Auge verdrehte sich*, *g a b a ṣ u kam hinein*. According to MUSS-ARNOLT, *gabaṣu* (an intransitive form like *garabu*, scabies; cf. JBL 35, 281) may be the Arab. *jabīz*, dry bread. I believe, however, that *gabaṣu* (= *qabaṣu* = *qapaṣu*; for *b* = *p* cf. JBL 35, 280) is the Heb. *qāṣf*, rage (originally *wildness*, ferocity, fierceness, fury) while the stem of *uktambil* is a transposed doublet (ZA 30, 98; JBL 34, 43. 61. 63; 35, 158. 322) of the stem of *kalbu*, dog. For the primary connotation of this word see AJSL 22, 205. *Kitabbulu* = *kitallubu* signifies *κυνίσειν* (cf. our medical term *cynic spasm*, *κυνικός σπασμός*) but

¹ For the abbreviations see above, p. 41, n. 1. — AJP = *American Journal of Philology*. — AoF = WINCKLER, *Allorientalische Forschungen*. — AS = *Anglo-Saxon*. — AT = *Altes Testament*. — EB = *Encyclopædia Biblica*. — JHUC = *Johns Hopkins University Circulars*. — Pur. = HAUPT, *Purim* (BA 6, part 2). — R = RAWLINSON, *The Cuneiform Inscriptions of Western Asia*. — RP = *Records of the Past*. — T = *Targum*.

in the present passage it has the special meaning ἀφρίζειν, Mark 9, 18; Luke 9, 39; cf. 1 S 21, 14 and Syr. *ar'it*, to slaver, a denominative verb derived from *ru'tâ*, Assy. *ru'tu*, slaver. The *t* is the feminine ending (JBL 35, 157, n. 2). In Heb. *rîr*, slaver (Syr. *rîrâ*) the second *r* represents an original *ġ*;² cf. Arab. *râġâ-îârġû*, to foam. Arab. *râġġâ* means both *to cause to foam* and *to cause to rage* (syn. *âġdaba*). In Arab. *riġâl* and *raġl*, which seems to be an Aramaic loanword, the *l* = *r* = *ġ* is due to dissimilation; in Assy. *lîru*, saliva, the first *r* has been changed to *l*. Syr. *kalbânûlâ*, canine behavior, denotes *hydrophobia* (Arab. *kâlab*) and the denominative verb *kêlib*, to behave like a dog, means *to be rabid*, Arab. *kâliba*; cf. Syr. *kalbâ'it*, (syn. *paqrâ'it*) rabidly, lit. *dog-like*. Syr. *pêqâr* appears in Arabic as *qârrafa* 'âlâ, to illtreat, accuse, lit. *to rage against*. Xenophon (*Anab.* 5, 7, 26) says: ἔδεισαν δὲ μὴ λύττα τις ὥσπερ κυσὶν ἡμῖν ἐμπεπτῶκοι (cf. Plin. 29, 100).

Assyr. *uktambil* = *uktabbil* = *uktallib* is synonymous with Syr. *iṭpaqqâr*, he behaved like a mad dog. Teumman, however, was not stricken with canine madness, but he was seized with an epileptic fit. During an attack of *morbus sacer*, which the ancients regarded as a special infliction of the gods, foam issues from the mouth, and the eyes roll wildly. I would therefore translate: *At that time he (Teumman) had an attack; his lip slavered, his eye rolled, wildness was imparted to it* (lit. *was placed in it*). The Assyrian text should be read as follows: *Ina âmešu-ma mixru imxuršu-ma šapatsu uktambil-ma inšu isxur-ma gabaçu iššakin ina libbiša*. Assyr. *mixru imxuršu-ma* means literally *an attack attacked him*. For *mixru* see JBL 32, 145. In Arabic the Assyrian stem *maxâru* appears as *ârmâxa* which has the privative meaning *to become unresisting*, submissive (syn. *lâna ya-dâlla*). For Arab. *mâxara* cf. AJSJL 23, 251.

Mark 9, 22 (cf. Matt. 17, 15) says of the epileptic healed by Jesus: *Often it has cast him into the fire and into the water*. During the epileptic fit the patient is completely unconscious and may therefore be burned to death or drowned without any reaction on his part.

According to AoF 1, 252 there is a variant *is-xi-ir*. Otherwise we might read *izmur*, from *zamâru*, the stem of *zamar*, in a wink, in a twinkling, which appears in Hebrew as *razâm* or *ramâz* (cf. above,

² For *r* = *ġ* cf. e. g. Arab. *irtamasa* = *ig̃tamasa*, to be immersed; *ġâmmaza* = *râmmaza*, to wink; see also JAOS 22, 98. 113.

n. 2). KAUTZSCH'S AT³ (1910) and BUDDE'S *Hiob*² (1913) have for *ma irzēmûn* (var. *irmězûn*) 'ênêka (Job 15, 12): *Was rollen deine Augen?* I have discussed this stem in my paper *Assyr. z a m a r und s u r r i š, flugs*, which will appear in ZA 31.

KB 2, 248 read *ismur*. This might be interpreted to mean *it became fixed* and connected with Arab. *sāmara*, to fix or fasten with a nail (Arab. *mismār*). We might also read *ugtambil* instead of *uktambil* or *ugtambil* and combine it with Arab. *āj̣bala*, to have difficulty in speaking (šá'uba 'alāḫi 'l-qāḫu). The passage might then be interpreted to mean: *His speech became thick, his eye was set and closed* (lit. *closure*, i. e. *blepharoplegia, was made in it*). This would suggest an apoplectic fit. Assy. *gabaçu* (= *qapaçu*) might correspond to Arab. *šāfaqa*, to close the eyes, syn. *ḡammaḡa* = Heb. 'aḡām; cf. Syr. 'ammûḡâtâ ḏē-'āḡnê, closing of the eyes, and 'ēmāḡâ ḏē-timrê, closing of the eyelids. In modern Arabic we find *šāqaf* for *šāfaqa*. But this explanation is not satisfactory. Nor can *ismur* mean *it became fixed*. Arab. *mismār*, nail, is an Aramaic loanword. We need not attach any importance to the spelling *mašmērôt* in the late gloss Eccl. 12, 11; the š in this case is as unwarranted as it is in *šēderâ*, array (WF 219). But Heb. *masmār*, nail, must be connected with Heb. *šamîr*, thorn, adamant (Syr. *kêfâ ḏē-šâmîrâ*). AS *pîl* (i. e. our *pile* = Ger. *Pfeil*, arrow, and Lat. *pilum*, javelin) denotes also a *nail* and a *prickle* of the holly. Both Aram. *masmērâ*, nail, and Heb. *masmār* (not *masmér*) or *mismār* are Assyrian loanwords with *s* = Assy. *š* (AJSL 26, 9). The stem is *šamar* with š₁ = Arab. *t*, Aram. *t* (JAOS 28, 115).

The primary connotation of both Heb. *šamâr*, to watch, and Heb. *šamâr*, to rage, is *to stare*. This may mean not only *to fix the eyes*, to gaze fixedly (cf. Ger. *starr*, fixed, rigid; see JBL 19, 64, n. 25) but also *to bristle*. To *watch* signifies *to keep an eye upon*, look with close attention (cf. Arab. *nāzara*, to look = Assy. *naḡâru*, to watch, guard, protect) and *šamâr*, to be angry (cf. JBL 35, 288, below) may mean *to bristle up* (JHUC, No. 163, p. 89^b)³ or *to glower* = to stare angrily or threateningly. This stem *šamar* is derived from the root *šam* which we have in Heb. *šamām*; it must not be regarded as a Šaf'el of *mar*, bitter (Nah. 21, below; ZDMG 61, 284, l. 43). The

³ Cf. also our *to ruffle one's feathers*.

primary meaning of Heb. *šimmûrâ*, eyelid (Syr. *tîmrâ*) is *guard*.⁴ Also Arab. *tâmala*,⁵ to help, signifies originally *to guard*, and Arab. *tâmala*, to remain, is originally *to fix* = to settle down or remain permanently. The primary connotation of Arab. *tâmalah*,⁶ sediment = *šëmarîm*, lees, dregs (cf. AJP 27, 160) is *settlings*. Arab. *âsmaru*, spear, which VOLLERS (ZA 17, 327) combined with Assy. *asmarû* or *ismarû*, in which the sibilant may also be a *z* or *ç*,⁷ might mean *horrent* or *bristling* (cf. Lat. *hastae horrentes* and *phalanx horrens hastis*, a phalanx bristling with spears) but it may be a transposition of *ârmasu*, from *râmasa* = *râmaša*, to throw; cf. *sâmara* = *ârsala*, to shoot a shaft or arrow.

The reading *ismur*, it stared, is very precarious, nor is the reading *šapatsu ugtambîl*, his speech was thick (syr. *iqâr liššânêh*) probable. Assy. *šaptu*, lip, does not mean *speech* or *language*. We may therefore conclude that Teumman had not a stroke of apoplexy, but an epileptic fit. Several distinguished men are said to have been epileptics, e. g. St. Paul, Cæsar, Mohammed, Alfred the Great, Peter the Great, Rousseau, Napoleon I. Sir W. M. RAMSAY's explanation that St. Paul's *thorn in the flesh* was a species of chronic malarial fever is not satisfactory (cf. DB 3, 791^a; EB 3620, n. 2; 1456, n. 1; contrast EB¹¹ 20, 953, n. 1). The epilepsy of the Second Founder of Christianity was not *le grand mal*, but the variety known as *Jacksonian epilepsy* which does not involve complete loss of consciousness and which may be cured by a surgical operation.

⁴ For *šëmûrôt*, Ps. 77, 5 we must point *šimmûrôt*; cf. *timmûrtâ*, eyelash, and the masculine plural *šimmûrtim*, watches, vigils, Ex. 12, 42 (*Pur.* 14, 40).

⁵ On the other hand, we have in Arabic *sârrah* = Heb. *šillâh*, to let loose.

⁶ We find also *sâmalah* for *tâmalah*.

⁷ *Içmarû* might be connected with Arab. *râmaḍa* which means to *sharpen the head of a spear* between two stones, or with *çâdruma*, to be sharp.

SYRIAC *SÍFTĀ*, LIP, AND *SÁUPĀ*, END

By PAUL HAUPT, Johns Hopkins University

ASSYR. *šaptu*, lip, is a biconsonantal noun, like *amtu*, handmaid; *daltu*, door; *qaštu*, bow; *šattu*, year (AJSL 22, 256).¹ Syr. *síftā* is a form like Assy. *bintu*, daughter; in Syr. *qíštā*, bow, the *i* may be due to the š (cf. NÖLDEKE, *Syr. Gr.*² § 45). In the Assyrian plural (or dual) *šaptā* the feminine *t* (JAOS 28, 115) is treated as a stem-consonant. GESENIUS' *Thesaurus* combined Heb. *šafā*, lip, with *šabā*, to drink; but *šafā*, lip, must be connected with Heb. *sôf*, end. The genuine Hebrew word for *end* is *qég*, the synonym *sôf* is an Aramaic loanword; therefore it has an *s* instead of š (cf. ZDMG 34, 763). This word has passed also into Arabic: the prefix of the future, *sa-*, is shortened from *sāufa*, in the end (JAOS 28, 114; *Nah.* 26, below).

Syr. *síftā* lip (Heb. *šafā*) denotes also *edge*, brim, brink, bank, shore (Syr. *šēfār iāmmā*) just as Ethiop. *kānsar*, lip, is used for *edge*, border, margin; it is connected with Assy. *kippāt ercītim* = Heb. *kānsōt ha-'ārē*, ends of the earth, Syr. *saupāi 'ār'ā* (cf. Arab. *kānaf*, bank; *kānafa*, to bank, inclose, defend). The lips are the two edges or borders of the mouth. Arab. *šāfan* (= *šafaḥun*) signifies *edge*, border, extremity, end; and *šufr* or *šafīr*, which are derived from the same biconsonantal root, have the same meaning. The primary connotation of Arab. *āšfā* = *āšrafa*, to be near (death, etc.) is *to be on the brink*; ² cf. Arab. *šāffara* and *šāfaha* = *dānā*, and *ašāfa* = *āšrafa*, also *šāḥḥifān*, lookout, outpost, spy. The original meaning of the passive *šūfiḥa*, to be cured, to recover, is *to be 'unbrinked'*, i. e. *to be snatched from the brink of death*. Also Arab. *nāšafa*, to pass away (cf. *šāfiḥa* = *gāraḥa*) and *šānifa* = *inqalabat šāfatuhu* are derived from the same root; for the infixed *n* cf. Arab. *šānafa* = *šāfana* and *Nah.* 25, l. 3. Arab. *tašāffa* or *ištāffa*, to drain (a vessel of its contents; cf. *šufāfah*, sediment) have no connection with Assy. *šaptu*, lip.

¹ For the abbreviations see above, p. 3, n. 2.

² Modern Arab. *šāḥḥara*; cf. the noun *šūḥār*, elevation of earth, bank.

REVIEWS

Sumerian Liturgical Texts. By Stephen Langdon. Publications of the Babylonian Section, Vol. X, No. 2. Published by the University Museum, Philadelphia, 1917. Pp. 103-203. Pls. VII-LXII.

In this volume Dr. Langdon has brought together "the material of the Nippur Collection which belonged to the various public song services of the Sumerian and Babylonian temples." He has autographed 23 tablets, all of which but one are in the Museum of the University of Pennsylvania, and he has translated and transliterated 18, with descriptive and critical introductions.

In his introduction to the volume, the author has discussed the term *zag-sal*, aiming at establishing it as the name of epical and theological poems. But, as he himself observes on pages 104 and 105 and especially in note 1 on the latter page, the term is found in places, such as tablets containing lists of names, which bear no relation to epical or theological poems. The term, perhaps, should be translated "praise" or "praise be," and be considered a doxology in stereotyped form, and used as we do the word "finis" at the end of a work, or as the phrase "laus deo" is sometimes used.

While indicating, in his introduction, the most important groups of texts, Nos. 6, 7, 8, 9, and 14, in the volume, Langdon discusses "the doctrine of the deification" of Sumerian kings, a doctrine which he says holds perhaps "the foremost place in Sumerian theology." Up to April, 1917, when the writer of this review published an article on "'Emperor'-Worship in Babylonia," he was convinced that no sufficient evidence had been produced which undoubtedly proved such deification. He was, consequently, very curious to know what evidence Dr. Langdon had to present. Assuming the doctrine as proved for the Sumerians, Langdon refers to hymns and liturgies to Dungi, published in his *Historical and Religious Texts*, and to others of similar content which indicate, as he supposes, the deification of the kings of Isin. The poems, in this volume, which he considers liturgies to deified rulers are Nos. 7, 9, and 14.

No. 7 Langdon calls a "Liturgical hymn to Dungi." A more correct title would be, a "Liturgical hymn concerning Dungi" (Compare No. 6), for a careful reading can make it nothing more than a hymn in praise of the king Dungi (l. 15) because of his beneficent rule. The poet determines to write a "long song befitting royal (not divine) power" (ll. 29, 64). The king is called a "shepherd" just as Ur-Engur (No. 6, obv. II, Col. III, l. 7). The translation "divine Dungi" in line 6 is rather misleading as JAOS, 36, 363 abundantly shows. The title is an honorific one, as our word "lord." The only expression which would seem to lend support to the doctrine of deification of kings is to be found in line 39, *dingir-lugal*, but a comparison of this line with ll. 40, 41, 43 would probably show that the reference in line 39 is to Enlil who is often called "king" (Cf. Ni. 7184, obv., l. 9, rev., l. 8). Otherwise, it could be translated "the lord king." At any rate, the evidence is not sufficient as proof of the deification of kings.

No. 9 is called a "Liturgy of the Cult of Ishme-Dagan," or, according to the "Contents" a "Liturgical hymn to Ishme-Dagan." A fair reading of this poem will, it seems, show that it is in reality a royal hymn of supplication, for the king seems to be addressing the gods (obv. II, ll. 1-23, especially line 8, "into my hand a regal sceptre place," also, ll. 13, 15, 16, 18, 19 and rev. I, l. 11). Langdon counts a good deal upon rev. I. l. 21, but the most obvious reading of *me-en*, here, is "I am," the line reading, "^d Ishme-Dagan son of Dagan I am." This is in best keeping with the rest of the poem.

No. 14 is called a "Liturgy of the cult of Ishme-Dagan," or a "Liturgical hymn to Ishme-Dagan" ("Contents"). This, like No. 7, is in reality a hymn in praise of king Ishme-Dagan, and a prayer for his success (rev. ll. 12 ff.). The king is here called a son of Enlil (obv. l. 29 and rev. l. 30), and in obv. l. 20 is referred to as a son of Anu, but in Ni. 4563, rev. I, l. 21 is called son of Dagan. The only possible phrase in this poem which could be construed in favor of "emperor-worship" is in rev. l. 25b, namely, *im-gub-gub-bi*. This Langdon translates "he is adored." But this is a misleading translation for the very obvious rendering of this phrase is "he is made to stand," or "he is established" (Brün. 4864; DSG p. 106), and this is in excellent keeping with the first part of the line, namely, "he is given exalted station." There is nothing about adoration

of the king in this poem. Obv. l. 17 should not have a period at the end.

It is not clear why the translator renders *edin-na* by the word "hills," on page 199, ll. 1, 2, when elsewhere he renders it correctly, e. g., No. 4, l. 22. Is not the rendering of *nam-kud-du-gim*, No. 4 l. 7, by "like a malediction by a curse" rather dittographic? The title of No. 6 in the "Contents" should be "Liturgical hymn concerning Ur-Engur," as on page 126. As this is a hymn in praise of Ur-Engur, should not the exclamation mark be omitted from obv. II, l. 21, making "Ur-Engur" accusative of "I will praise"? On page 160, l. 6, *tin-tir* is merely transliterated. For the sake of consistency, why not render it "Babylon," as on page 158, l. 14 and other places?

Much time would be saved the student if in the "Contents" the texts were numbered as they are on the plates. The same number should appear where the text is discussed and translated. Otherwise, the Museum number should appear in the "Contents" and on the plates as well as where the text is discussed and translated. Another aggravation is the discrepancy between the line-numbers in the text and those on the plates. See No. 4 and look, for example, for l. 22. Sometimes there are no line-numbers on the plates at all, e. g., pl. XXVII, etc. On page 183, the reference in note 5 should be p. 148 instead of p. 138.

The attention of Old Testament students should be called to the interesting note on p. 148 note 4 and p. 183 note 5.

In spite of these comparatively minor blemishes in this work, Dr. Langdon, who is second to none in the handling of Sumerian texts, deserves unstinted praise for his undaunted courage in attacking difficult linguistic problems, for the masterly manner in which he accomplishes his task, and for an untiring energy which is ever placing us under new obligations to him. His translations, though sometimes faulty, are masterpieces of linguistic skill.

SAMUEL A. B. MERCER.

Sumerian Grammatical Texts. By Stephen Langdon. Publications of the Babylonian Section, Vol. XII, No. 1. Published by the University Museum, Philadelphia, 1917. Pp. 44. Pls. LVIII.

This volume "includes the greater portion of the grammatical texts in the Nippur Collection of the University Museum which have not been published by Dr. Poebel in Vol. V." There have also been included a few religious texts and other miscellaneous material. Langdon has autographed 56 tablets, 17 of which — being the most important — he has transliterated, translated, and discussed in detail.

These grammatical texts are chiefly school texts. In most cases the teacher's copy and the pupil's work are on the same tablet. Nos. 16 and 18 contain the Sumerian original of part of the well-known lexicographical work, *ana itti-šu*. Nos. 5, 11, and 54 are important as they are syllabaries of the S^a and S^b type.

The lexicographical texts, although not perhaps of first importance, supply some hitherto unknown ideograms, e. g., LA-LAM-TI-TUM, Ni. 4598, obv. l. 6; and likewise some new values, e. g., *uzu-a-za-ad* = *kakkadu*, *uzukar* = *apputtum*, *gu-har* = *ur-u-tum*.

In his discussion of liturgical terms, in connection with Ni. 11394, Langdon suggests the translation "song of absolution (?)" for *sir-nam-šub*, but as the fundamental meaning of *šub* is "to turn," perhaps a better rendering would be "song of penitence."

From the order in which the consonants in a phonetic syllabary (Ni. 4600) are arranged, Dr. Langdon arrives at the decision that "the Sumerians had not succeeded in a scientific analysis of the elements of the human speech." This would seem a very far-reaching deduction, as it would be rather much to expect the writer of every such tablet to arrange his words according to the scientific grouping of *n*'s and *m*'s, of *g*'s and *k*'s, etc.

To make the numbers of texts as they are discussed to correspond with their plate-numbers would be very helpful to students. It is hoped that this will be remembered in future issues of the Museum. Of course, the "Index of Plates" on p. 44 is useful.

In this work, Dr. Langdon has again exhibited his superiority as a most expert Sumerologist.

SAMUEL A. B. MERCER.

Horus in the Pyramid Texts. A Dissertation submitted . . . for the degree of Doctor of Philosophy. By Thomas George Allen. A Private Edition, distributed by the University of Chicago Libraries, 1916. Pp. 76.

Using Breasted's manuscript-translation of the Pyramid Texts, as a guide, Dr. Allen made, in preparation for his dissertation, a complete version of the Pyramid Texts for himself. His original plan was "to segregate and classify all references to all the deities mentioned in the Pyramid Texts." But this plan was found to be too comprehensive for the purpose of a thesis, and he concluded to confine his attention to the god Horus.

First, the author assembles the different forms of the name of Horus; then he enters upon the main body of his work and groups his material into the following eight useful classes: Epithets, Magical or Mystic Names, Relationships, Nature, Activities of Horus, Eye of Horus, Other Mythological references to Horus, Miscellaneous. These classes are again subdivided. This is followed by a Supplement, dealing with the offspring of Horus, and an Appendix, containing an index of all occurrences of divine names in the Pyramid Texts.

The reviewer has not considered it necessary[¶] to verify all references in this index, but has checked up a few at random. The work of translation seems to have been done with considerable care and skill, but there are exceptions, for example, What is the meaning of "Re-Atum gives not king to Osiris nor to Horus" on page 24? The translation should be, "Re-Atum gives thee not to Osiris . . . Re-Atum gives thee not to Horus." The usefulness of such references depends to a large extent upon their clearness, and for that reason many of the translations are too brief for any practical purpose. Again, E8, p. 39, is misleading. A close translation should have been given, such as, "he assumes the splendor of the two lands, he bares the face of the gods."

A good deal of transliteration has been done. It seems that much space might have been saved for fuller translations if all transliterations had been omitted except in case of questionable readings. The student can always look up the text for himself, especially as the reference is always given. In fact, the translations are often so

brief as to be useless without reference to the original or to a full translation.

An index such as this can always be abbreviated or expanded. There are relations other than those recorded in this work in which Horus is found, but a limit must be made somewhere. On the whole Dr. Allen has done good work, and it is hoped that his contemplated future treatment of other gods will be as well done, but fuller than this.

SAMUEL A. B. MERCER.



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